

# Hawaiian Gazette.

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WHOLE No. 2569.

## SELF-GOVERNMENT ON TRIAL IN EMERGENCY

Governor Carter Informs Politicians What an Extra Session Would Involve—The People's Problem.

Governor Carter, for the past two days, has been obtaining the opinions of people on the question of calling an extra session of the Legislature. Among those interviewed in the executive chamber were Judge Dole, Treasurer Kepoikal, Senators McCandless and Kalauokalani, Speaker F. W. Beckley, Representatives Kuphea and Kumalae, Curtis P. Iaukea, James H. Boyd, George Markham, F. J. Testa, John Wise and Charles Nolley.

It was the Governor's idea, in calling into consultation the Home Rule and other anti-administration politicians whose names form most of the foregoing list, to sound the disposition of opposing factions relative to their probable attitude, in the event of an extra session, toward a strict policy of Territorial economy and retrenchment.

The Governor put it to those gentlemen that an extra session would virtually place the Territory of Hawaii on trial as to its capacity for self-government. If the members wasted time on all sorts of resolutions and in interpretation, ran up bills of expense for translating and printing and, generally, acted contrary to the policy of readjustment of the balance of revenue and expenditure which they were called to put into effect, then an extra session would be utterly destructive of its object.

Should the Legislature prove by its conduct that it was not capable of meeting an emergency such as demanded businesslike legislation, it would simply show to the nation and the world that Hawaii was not yet capable of self-government.

To such effect the Governor laid the question before the political visitors. Their responses were couched in a reassuring tone. They believed that the members of the Legislature would, in the situation pictured, rise patriotically above faction and concentrate all energy upon the problem of replacing the Territory on its financial feet.

## BUCKEYE CLUB'S NEXT MEETING

The Buckeye Club of Honolulu is a purely social society organized for the purpose of acquaintance and friendship. The next meeting will be held in the Young Hotel Tuesday evening, March 8. All Ohioans in Honolulu are invited to attend.

The "Buckeyes" will be interested in the following account of the origin of the name—which has been unearthed by Mr. W. A. Bowen in one of his antiquarian researches:

Some antiquarians have scouted the idea that Ohio gained its name of "Buckeye State" from the buckeye tree, because the tree is so common and so poor. It is not a valuable tree, its wood is not strong and it decays quickly; its fruit is poisonous, suited to neither man nor beast; it is, in a way, an ornamental and shade tree, yet a very dirty one.

The story of the probable origin of the name is as follows:

On February 22, 1840, a State convention was held in Columbus for the purpose of nominating a candidate for Governor.

Political excitement ran high. The delegates from Union county brought with them a cabin built of buckeye logs, that wood having been selected, probably, because it was light, easily worked and good for nothing else. The cabin was drawn by a procession of horses, and the delegates, perched upon the roof or riding inside, sang a song composed for the occasion by Otway Curry, of Marysville, O. It ran like this:

"Oh, where, tell me, where,  
Was your buckeye cabin made?  
'Twas built among the merry boys  
Who wield the plough and spade,  
Where the log cabins stand  
In the bonnie buckeye shade.

Oh, what, tell me, what,  
Is to be your cabin's fate?  
We'll take it to the capital  
And place it there, elate.  
For a token and a sign  
Of the bonnie buckeye State."

In times of political excitement a clever idea spreads like wildfire. The

Governor Carter, after yesterday's interviews with citizens were over, talked briefly to an Advertiser reporter on the exigencies of the hour. Secretary Atkinson and he were going to divide between them the work of consulting with different heads of departments over the matter of expenditures. They would ascertain how far salaries and running expenses could be reduced in each department, and from the results of their work compile estimates to be submitted to an extra session if called on, in the event of there being no extra session, to form a working basis, so far as the law allowed, for conducting the government until the next regular session.

Something had to be done to avoid a scale of expenditures in the present which would eat into the revenue of the future. Since annexation, with its cutting off of lucrative sources of revenue, there had been no means provided other than the income tax for keeping the treasury replenished. Yet in the same time there had come expansion of services in various departments with a corresponding increase of expenses. As for instance, the Governor mentioned the enlarged scope of the bureau of Agriculture and Forestry, the sanitary inspection service, subsidies to hospitals and other objects, etc.

It was for the people, through the legislature, to decide how the expenditures were to be kept within the revenue. Continuation of the existing scale of expenditure would be impossible without an increase of taxation. Perhaps if salaries and departmental expenses were reduced, so that the people would know they were getting value for every dollar expended, there might not be strong opposition to an increase of taxation. The present emergency ought to make the people consider whether there were not some things they might do without. They might conclude, Governor Carter mentioned, that the expenditures for the band and the military should be eliminated.

log cabin was adopted as the sign of the Harrison campaign, and, whenever possible, was built of buckeye logs and draped with buckeyes. The song was sung everywhere, and of course many others were written. Most of them contain some reference to the buckeye. "Tom" Corwin was nominated for Governor by the convention, and forthwith acclaimed as:

"Tom Corwin is a Buckeye boy  
Who stands not for the foe."

General Harrison himself was greeted with:

"Hurrah for the father of the great West;

For the Buckeye who follows the plough."

The chorus which accompanied him on many of his campaign trips began:

"Come all ye jolly Buckeye boys  
And listen to my song."

There can be little doubt that it was Mr. Curry who really started the idea and circumstances helped to give it a wide currency. Besides, "buckeye," as a word is distinctly catching. It is the kind of word that sticks. And it certainly did stick in that campaign. Everyone was carrying a buckeye cane; all the girls had to have necklaces of buckeyes. And the tree, of a sudden, leaped from obscurity to a sudden and lasting fame.

Good for Kepoikal. He says if there is an extra session the legislators will have to cash their pay warrants when other officials do and not before. He will admit no class distinctions and the law-makers must wait with the rest of the crowd.

The Bulletin shows a natural interest in Hearst's barrel. A little while ago it compared Hearst favorably to Abraham Lincoln. Really that ought to bring in a workable proposition from the Mazuma business agency.

Perhaps the man before Judge Dole who believed in bombs thought he would make as good a citizen as some of those, already sharing the privilege, who spend their time and breath assailing the United States and regretting that they were ever annexed to it.

## HISTORICAL SOCIETY

Annual Meeting Held Last Night.

The Hawaiian Historical Society held its annual meeting at the Library last night, Dr. N. B. Emerson, president, in the chair. Other members present were Prof. Alexander, Chief Justice Frear, Judge S. B. Dole, W. F. Allen, Miss Mary J. Allen, A. S. Hartwell, J. S. Emerson, W. E. Rowell, W. W. Hall, Rev. O. P. Emerson, Ed. Towse, Rev. W. D. Westervelt, W. W. Hall, C. L. Rhodes and wife, Edgar Wood and David Dayton.

Reports were read from Chief Justice Frear as recording secretary, Miss Hillebrand as treasurer and librarian and Prof. Alexander as corresponding secretary. In his report Prof. Alexander mentioned the opening of Hawaiian Hall in the Bishop Museum as an auspicious event of the year. He had received a letter from H. S. Townsend, former inspector of schools for Hawaii, telling of verbal coincidences between Polynesian and Philippine languages. The receipt was also acknowledged of a book on Guam written by former Lieut. W. E. Safford of the navy, who was aide to the first Governor of Guam, the work having been published by the Smithsonian Institution. In conclusion Prof. Alexander called attention, as he had done before, to the desirability of having a complete Bibliography of the Hawaiian Islands.

President Emerson stated that Mr. Bryan, who had gone away under sad bereavement was secretary of the committee on "Ancient Landmarks," as it had been unofficially called, and the society must not consider from the absence of a report that the committee was dead. This was in reference to a statement by Prof. Alexander that the committee had made considerable progress.

Raymond H. Arnot of Rochester, N. Y., was elected as a corresponding member, and Rt. Rev. Bishop Henry B. Restarick, B. L. Marx and Miss Hillebrand were elected as active members. The following officers for the current year were elected:

President—Dr. N. B. Emerson.  
Vice Presidents—Judge S. B. Dole, J. S. Emerson and W. F. Allen.  
Corresponding Secretary—J. D. Alexander, LL. D.  
Recording Secretary—Chief Justice W. F. Frear.  
Treasurer—W. W. Hall.  
Librarian—Miss Hillebrand.

An amendment to the bylaws, moved by Judge Dole, was carried reducing the initiation fee from \$5 to \$2.

Prof. Alexander read, as a preliminary paper, the letter from Mr. Townsend previously mentioned. It said that, while there were no relations between the Malay and the Polynesian languages, there were a number of verbal coincidences. Those Philippine peoples had a decimal system like the Hawaiians. The writer said he longed to return to Hawaii, his stay in the Philippines being already longer than he at first intended.

Mr. Rowell asked if the Hawaiian decimal system was original.

Dr. Emerson said it was complicated. It was a system of 4's multiplied by 10. The question of its originality was not clear at all.

Judge Dole thought it had been taught the Hawaiians by the missionaries.

Prof. Alexander said what the missionaries did was to extend the system beyond counting 40, on to 400,000. It was based on the four fingers of each hand. The Tahitians went by 2's, or one finger of each hand. The first ten numbers were common to the Pacific islands and Madagascar. Answering a question, Prof. Alexander said he did not attach significance to the coincidence of names of objects mentioned by Mr. Townsend.

President Emerson read the paper of the evening, which proved to be a beautiful literary composition. Its topic was "The Poetry of Hawaii." The author explained that most of it was prepared as the introduction of a book on the "Literature of Hawaii," as yet unpublished, but he cared for that purpose. As with all primitive peoples, literary expression among the Hawaiians chiefly took the form of poetry. Dr. Emerson spoke of the difficulty of getting a true interpretation of

## OPPOSE THE ARMORY SITE

Park Commission Now Goes On Record.

The Honolulu Park Commission at its meeting yesterday afternoon unanimously adopted a resolution expressing to the Governor the hope that he would not permit the armory to be erected in the Executive building grounds, as, in the opinion of the park commissioners, these grounds should be reserved exclusively for executive building and park purposes. The hope was also expressed that Governor Carter might see his way clear to removing the other buildings already in the executive grounds.

There were present at the meeting, which was held in Kapiolani park, A. S. Cleghorn, E. S. Cunha, H. E. Cooper, L. A. Thurston and Supt. Alexander Young of the park.

The recent storm has done much damage to the park by blowing down the algaroba trees on Makee Island and on the banks of the pond facing it.

The commission authorized the superintendent to remove the broken trees remaining near the main makai entrance as they were in an unsightly condition and likely to fall at the first heavy wind.

The superintendent is now facing the bank of the pond, mauka of the big banyan tree near the keeper's lodge, with moss-grown rock.

The superintendent has also completed the planting of grass on the section in which the keeper's lodge is located and it will be in condition for running a lawn mower thereon in the near future.

In accordance with a previous resolution of the commission, the dilapidated and untidy fence makai of the grand stand at the race course has been removed, greatly improving the appearance of the park in that locality.

A resolution was adopted by the commission requesting the Superintendent of Public Works to allow a gang of prisoners to work at the park in restoring the damage done by the recent storm and in extending the grass planted area. The section makai of the grand stand and extending as far as James Castle's house has been graded and covered with soil and is now ready for grass planting, but the large amount of extra work caused by the storm has prevented this being done. Henry E. Cooper was appointed a committee to meet the Superintendent of Public Works and present this request.

The vagaries of the untutored war correspondent are beginning to make an intelligent public weep. The Chicago Chronicle has a special representative in Japan who telegraphs it that the Russians were supposed to be bombarding Fukuyama, which is a place about 100 miles from the coast. Evidently the Russians have long guns or the correspondent a long bow. Another dispatch announces that the Japanese have landed marines at Dalny. If there were any marines in the Japanese Navy the story could still be questioned on the ground that marines are not landed at any enemy's fortified port unless the commander wants them to be captured or killed.

ancient Hawaiian meles, as the lyrical poems of Hawaii were called. Those who knew their meaning were passing away and the true ideas of the compositions were guarded as sacredly as the bones of the ancient chiefs.

From the lack of power to express generalities in the Hawaiian language arose the circumstance that the Hawaiian poetry was strongly hyperbolic. It did not attempt to describe abstract beauty, but the actuality of beautiful objects in all visible nature. The meles should be cantilated—as sung by the hula master. When reduced to writing it lost its true flavor like champagne poured out over night. The paper told of the extreme care the composers had to exercise in framing meles for great occasions. An ill-omened word might cause the bard to forfeit his life.

Dr. Emerson discussed the pulse, or praying poetry, and the olioli, or poem of rejoicing. When the poet enlisted all the beautiful things in earth and sky to describe his sweetheart, who should say that the ancient Hawaiian had not passed the first round in the scale of idealism?

The class of ribald jesters was small, but proving the one touch of nature that made the whole world kin. The hula was quick with the warm blood of the people, where ordinary tradition and legend gave but an unsatisfactory insight into the life of ancient Hawaii.

## CAPTAIN RODMAN TELLS ABOUT PEARL HARBOR

Expert Testimony Under Oath of a Naval Commander on Present Status of the National Haven Upon Oahu.

In the suit of Clark & Henery vs. H. Hackfeld & Co., Ltd., and Castle & Cooke, Ltd., the deposition, in anticipation of departure, of Hugh Rodman, Lieutenant Commander U. S. Navy, commanding the U. S. S. Iroquois, has been filed. Among other things it says:

That the Pearl Harbor channel is about a quarter of a mile long, about 200 or 212 feet wide and deponent believed 31 feet deep.

That vessels over 1000 tons displacement would not be justified in going in for cargo as the channel now stands. A steamer of about 1000 tons displacement or under, could probably do so.

That there are no obstructions, but the channel is too tortuous for large vessels to make an entrance unassisted by tugs.

That the deponent's familiarity with the channel was gained by consulting the charts and by actually navigating the entrance to the locks on a number of occasions.

That, generally speaking, the channel and locks mauka of Walpole Point are open to navigation.

That it is very easy for a vessel to enter Honolulu harbor, and extremely difficult for a very large vessel to enter Pearl Harbor.

That deponent did not consider that any vessels of the American-Hawaiian Steamship Co., the Pacific Mail Steamship Co., or the Occidental and Oriental Steamship Co., that now enter Honolulu harbor could enter Pearl Harbor without a great deal of difficulty and danger.

That he would consider it hazardous for a sailing vessel of over 500 tons displacement to enter Pearl Harbor.

That he did not know exactly, but in his opinion it would take approximately half a million dollars to open Pearl Harbor to commerce, making its entrance as feasible as that of Honolulu harbor.

That deponent believed that any of the vessels of the Wilder or the Inter-Island Steamship Company could with safety enter Pearl Harbor locks.

Following are questions and answers in full from the record:

"Q.—Will you please name any other harbors that you know which are treated as open to general commerce, foreign as well as domestic, under conditions similar to those now existing at Pearl Harbor?"

"A.—There are dozens of harbors in the United States for instance, that have been opened by dredged channels. Whether or not they are similar to Pearl Harbor is not for me to say, as each has its own individual characteristics and peculiarities."

"Q.—Are there any conditions at Pearl Harbor which, while they may require care in handling ships of such large size as sometimes take cargoes of Hawaiian sugar around Cape Horn or to San Francisco, and may require for such ships the use of tugs in rounding some of the projections or spits in entering the harbor after crossing the bar, are sufficient to preclude the use of Pearl Harbor for general purposes of either foreign or domestic commerce?"

"A.—Personally I would not venture to take a large commercial steamer into Pearl Harbor except under the most pressing needs. I believe that the large steamers coming to these islands could be carried into Pearl Harbor by using tugs and by observing the utmost precaution, but it does not seem reasonable to me to take them in as the channel now stands."

"In time of peace I should hesitate to take in the U. S. cruisers of the size of the before-mentioned vessels, but if in time of war it were urgently necessary, they having twin screws, I believe that by the use of tugs I could take them in, and would not hesitate to attempt it."

(ASSOCIATED PRESS CABLEGRAMS.)

TOKIO, Mar. 2.—The building of a military railroad from Seoul to Wiju has begun.

CONCENTRATING AT CHEMULPO.

CHEFOO, Mar. 2.—Japanese transports are still arriving at Chemulpo. It is feared that the Japanese horses will prove to be unserviceable.

CHINESE TROOPS GO NORTH.

TIENTSIN, Mar. 2.—Four thousand additional Chinese troops have been sent north. The blizzard has ceased. Vladivostok is reported quiet.

CHINESE BRIGANDS ACTIVE.

ST. PETERSBURG, Mar. 2.—Five hundred Chinese brigands are terrorizing the district of Ningata. (Name probably wrong.)

JAPAN EXPLAINS ITS COURSE.

TOKIO, Mar. 2.—The Japanese government, in a long note to the powers, justifies its course in making war before issuing a declaration and declares that Russian military and naval preparations are responsible.

RUSSIANS IN KOREA.

SEOUL, Mar. 2.—Fourteen hundred Russians are at Chong-ju and 500 at Kusong.

CASSINI GETS ASSURANCES.

WASHINGTON, Mar. 2.—Secretary Hay and Count Cassini, the Russian Ambassador, had a conference last night in which Cassini was assured that the United States was not considering the extension of the cable from Guam to Japan.

In a long statement to the press Count Cassini deprecates the pro-Japanese sentiment of the American people as unwarranted.

THE AFTERNOON REPORT.

PARIS, France, March 1.—The Japanese general staff is said to have gone to Chemulpo.

RUSSIAN CRUISER BLOCKED IN CANAL.

SUEZ, Isthmus of Suez, March 1.—The Russian battleship Os-lyaba, the transport Saratoff and four torpedo-boats will enter the Suez Canal tomorrow. The Russian cruiser Aurora is at present blocked in the canal.

LIAO YANG, Korea, March 1.—The Japanese troops have occupied Ichioyang.

PORT ARTHUR FIGHT UNCONFIRMED.

ST. PETERSBURG, Russia, March 1.—No confirmation has been received here of the engagement said to have taken place yesterday at Port Arthur.



## PROPOSED ECONOMIES

### Governor Carter Makes Financial Showing to Bankers.

S. M. Damon and S. E. Damon of Bishop & Co's bank, C. M. Cooke of the Bank of Hawaii, E. I. Spalding of Claus Spreckels & Co's bank and Mark P. Robinson of the First National bank met Governor Carter by invitation yesterday morning to receive from him a statement of Territorial finances. Auditor J. H. Fisher was called into the conference.

The Governor's exhibit showed the necessary expenses of the Government for the remainder of this period, after the elimination of some items and reductions in others appropriated by the Legislature. Having seen the statement the bankers, through the initial spokesmanship of S. M. Damon, expressed their opinion that it would be unwise to make advances to the Government until the Supreme Court had rendered a decision on the case brought to test the validity of expenditures in the remaining part of the biennial period upon the basis of appropriations made for the six months ended December 31, 1903.

Governor Carter after the meeting gave out the information that, according to the appropriation bills, the appropriations for current expenses of the entire biennial period amounted to \$1,609,030, against which there was estimated revenue of \$3,064,017. To make ends meet a reduction of one and a half million dollars would have to be made. By cutting out items for the harbor, for remodeling the Judiciary building, for an exhibit at St. Louis, etc., the Governor figured a reduction of \$500,000. A further reduction of \$250,000 might be effected in public works generally. Then he proposed a reduction by consent of the office-holders, of 20 per cent. in salaries, making about \$425,000. All these economies would represent \$975,000.

Governor Carter suggests that a special session of the Legislature might be advisable, either to reduce the salary outgo or to increase the taxes.

Treasurer Kepoikal says he has notified the Governor and heads of departments that, to meet the exigencies of the remainder of the period, total current expenditures will have to be reduced to \$45,000 a month. He wishes again strongly to disavow any responsibility for the issuance of warrants, contending that this belongs solely to the Auditor. It is his part but to pay or to register warrants. Mr. Kepoikal declares, adding that his refusal to honor a warrant upon the Treasury would constitute an act of Territorial bankruptcy.

### VOICE FROM UNPAID JURORS

Editor Advertiser: If any of the Circuit Court judges can find a law that compels a citizen to perform jury duty without compensation he will appease the disquietude of the seventy-two unpaid jurors who are looking to Treasurer Kepoikal for their fees. The jury are as much a part of the court as the judge and they earn their pittance. They have as high a claim on the disbursements of court expenses as the judge, clerk, reporter or bailiff, because they are compelled to relinquish their occupations and sacrifice their daily incomes. They do the hard work of the trial and incur the displeasure of the litigant against whom their verdict is directed. How often the defeated plaintiff or defendant has made the threat that he will get even with every man on the jury!

If the insolvent condition of the public exchequer is to continue, jury duty should be enforced without favor. The merchant or capitalist whose income is \$100 a day has no more right to ask to be excused than the workman who earns but \$1.50 a day. In attending court the poor man makes just as much of a sacrifice of his personal interest as the rich man. When there is no compensation for service the former suffers and the latter is indifferent. When a large number of the panel are excused for "business" reasons the whole labor of considering drowsy cases of land claims, damages and embezzlement falls upon fifteen or sixteen men who have not sufficient influence at court to get a release.

If the judges compelled every able-minded and able-bodied man in the panel to do his duty there would be less complaint about the Treasury embarrassment.

NEXT.

#### Island Oranges.

Ripe and sweet, 25c. doz.; \$1 per 100. Wahiawa pineapples, 15c and up; pineapple sweet pickle, pineapple preserves, pineapple jam, pineapple syrup, all in glass, at 25c. per jar. Sauer kraut in 2½ lb. tins at 20c. a tin. Wahiawa cabbage, the best the market affords. Wahiawa butter milk, fresh and cold.

CLARK FARM CO., LTD.  
Phone Main 178.

## TEST CASE IS BROUGHT

### Based Upon a Bill for Printing of Tax Blanks.

At length a test case for reapportionment of the government to supply omissions in the eighteen months' bill has been brought. Deputy Attorney General Peters filed it yesterday, the following being an abstract of the complaint:

The Hawaiian Star Newspaper Association, Limited, represents that the Territory of Hawaii was and is indebted to it in the sum of \$251.25 for work and labor performed and materials furnished for and on behalf of James W. Pratt, William T. Robinson, Nathan C. Willifong and J. K. Farley, tax assessors of the four divisions respectively.

The items of the bill are explained with the remark in each case that the amount "was and is a necessary current expense of carrying on the government of said Territory in its collection of internal taxes, and chargeable against an appropriation for incidental expenses of the said and several tax assessors of the Territory of Hawaii." It is related that James W. Pratt, as the officer incurring the expense, and A. N. Kepoikal, as Treasurer of the Territory of Hawaii, approved the petitioner's bill according to law as quoted.

A statement is made of the passage of a bill, at an extra session of the Legislature of 1903, called by the then Governor, Sanford B. Dole, for the consideration of appropriation bills, making special appropriations for the departmental use of the Territory during six months from July 1, 1903, which among its provisions made an appropriation for the incidental expenses of the said and several assessors, being \$3125 as incidentals of the tax office.

Then the complaint goes on to tell of a bill passed making special appropriations for the departmental use of the Territory during the period commencing January 1, 1904, and ending June 30, 1905, "but by said Act 13," the declaration runs, the Legislature "failed and neglected to make an appropriation for the payments of the necessary current expenses of carrying on the government in its collection of internal taxes," nor did the Legislature pass any appropriation bill providing for such purpose.

On January 19, 1904, it is related, Governor Carter advised Treasurer Kepoikal that he make payments for the necessary current expenses of carrying on the government in its collection of internal taxes, and for that purpose that the sum of \$3125 appropriated in Act 19, or the six months' bill, be deemed to have been reapportioned for the purpose of providing for payments of the necessary expenses incident to the collection of taxes.

The complainant, on February 29, made a demand on J. H. Fisher, Auditor of the Territory, for a warrant upon the Treasury in the amount of its bill, \$251.25, a copy of which demand is attached.

Said demand was refused by the Auditor "for the reason and upon the ground that the said Legislature, so in extra session convened, had failed and neglected to make, and there was not now an appropriation, by the Territory of Hawaii, providing for the payments of the necessary current expenses of carrying on the government of said Territory in its collection of internal taxes, and for the purpose thereby of providing for the payments of the necessary current expenses of the said and several tax assessors of said Territory, in the performance of their duties, as by law required and provided, during the period beginning with the 1st day of January, A. D. 1904, and ending with the 30th day of June, A. D. 1905.

"Wherefore, your petitioner, being aggrieved by the decision of said Auditor, and by his refusal to allow its said demand, and to issue said warrant, does hereby appeal therefrom to the Justices of the Supreme Court; and prays upon investigation hereof your Honors will make an order, directing said Auditor to issue such warrant and for such other relief as may be just and proper."

The plaintiff corporation signs "by its attorney, E. C. Peters, Attorney General."

### ST. LOUIS EXHIBIT GOES OVERBOARD

"You can state officially that the project of having a Hawaiian exhibit at the St. Louis Exposition is dead."

It was Fred. W. Macfarlane, the Commissioner to St. Louis designate, who uttered this declaration to an Advertiser reporter. Mr. Macfarlane had just emerged from an appointed interview with Governor Carter after 5 p. m. yesterday.

Secretary Atkinson forthwith emphasized the fell decree with this statement:

"If there is not enough money available to pay honest labor done for the Government, then the Governor does not feel justified in authorizing a single dollar of expenditure for the St. Louis exhibit. Even the school exhibit will not be sent."

Interior: Doctor—"Your wife must keep out of excitement." Mr. Brisbane—"She can't, doctor. She carries it around with her."—Indianapolis Journal.

## HONOLULU INVESTMENT COMPANY'S AFFAIRS

### Committee of Investigation and New Board of Directors—Proposition by Secretary May to Wind Up Company.

From twenty-five to thirty stockholders, representing nearly 430 shares, attended the annual meeting of the Honolulu Investment Company, Ltd., at its offices last night. The directors held a majority control and, although one or two breezes sprang up between them and the minority early in the proceedings, the meeting transacted important business without much wrangling.

Thomas Lindsay called the minutes of last annual meeting in question, insisting that a motion was passed to distribute amongst the stockholders about \$3000 of a surplus then shown. Secretary May thought it was but a suggestion assented to by the directors. President Gear's recollection was that the understanding was to distribute the surplus "if available," but Mr. Lindsay said the correct phrase was "while available." The officers consented, however, to have the minutes corrected according to objection.

**FINANCIAL STATEMENTS.**  
Emmett May, secretary and treasurer, read the annual report as audited and found correct by W. R. Farrington and John D. Holt, Jr. Its main figures were as follows:

RECEIPTS.	
Real estate .....	\$ 4,788.22
Real estate sales .....	62,200.00
Insurance, etc. ....	35,007.70
Total .....	\$101,995.92
EXPENDITURES.	
Real estate .....	\$ 2,053.50
Fidelity Insurance Co. stock .....	75,000.00
Sundries .....	11,549.81
Insurance .....	12,392.61
Total .....	\$101,995.92

Mr. May also read a statement of the affairs of the Fidelity Insurance Co., saying it was owned by the Honolulu Investment Co. Details of the assets and liabilities of both companies have been extensively published in connection with the action taken by the Insurance Commissioner to revoke the license of the Fidelity. The sum of \$12,500 was owing by the company on certain of its properties.

**INVESTIGATION.**  
T. J. King moved, seconded by Thomas Lindsay, that a committee of three be appointed to investigate the report and see if it was correct.

President Gear, when it came to the voting, said that as he regarded the motion one of want of confidence in the directors he would vote his shares and proxies "no."

Secretary May stated that the books were open to any stockholder, and while voting "no" he would allow Mr. King to go over the books at his pleasure.

T. F. Lansing remarked that as Mr. May said anybody was welcome to investigate the books there was no better time than the present.

Mr. Farrington asked if Mr. Lansing doubted the statement that the accounts had been audited. The items had been compared with the books and found to agree. They did not certify that the vouchers were examined.

David Dayton thought it was strange that the person who kept the books should object to their examination.

Mr. King withdrew the motion and, seconded by G. Schuman, moved that a committee of three be appointed to investigate the affairs of the company. This carried and the chair, being requested to appoint the committee, named T. J. King, S. A. D. Jones and Jonathan Shaw. It was agreed that the committee report within a reasonable time, when ready, notifying the president who should call a special meeting to hear the report.

### PARK PREFERRED TO THE MILITIA.

Editor Advertiser: It seems like vandalism to further disgrace what should be the principal beauty spot of our city, the Capitol grounds, by erecting thereon a Drill shed or any building that is not an absolutely necessary part of the Capitol itself.

Rather should the so called Bungalow and the various shacks that now dot the Hotel St. front of the grounds be removed and the same attention given to it as is given to the King St. front.

Elsewhere in U. S. territory special attention is given to making such places as attractive as possible. Even the Court House grounds in the various county seats are being improved on this plan, making their grounds beautiful and removing to adjoining squares everything in the building line except the main structure.

Shall it be said that Honolulu is behind the small county seats of the mainland in this respect, that the citizens of this Territory have less love for the beautiful and less desire to make their city attractive to visitors, that they are in fact only the half civilized people that so many believe.

I believe there is no more certain way to make the militia unpopular with the public than to allow our public parks to be disgraced for their exclusive benefit, and if the question of putting the drill shed where it is now proposed or of wiping the militia off the slate were to be submitted to the public they would vote almost unanimously in favor of wiping out the militia.

CITIZEN.

## SMALL COMFORT FOR BANDSMEN

Scant comfort was obtained by a deputation of about half a dozen stalwart members of the Territorial band who waited on Governor Carter yesterday. Their errand was to see if the expenditure for salaries of the musicians might not be maintained at the old figure, notwithstanding that the Legislature through presumed inadvertence had indirectly scaled down the allowance in the eighteen months' bill, by making it for a less number of musicians than before.

The bandmen were informed by the Governor that they would be fortunate if even the reduced scale were carried out. While, for so popular an institution, he did not feel justified in cutting out the band entirely, there was a possibility that the Legislature, when it next met, might abolish it as a dispensable luxury.

## ANOTHER KAUAI EXPLOSION

LIHUE, Feb. 29.—Another dynamite explosion took place last Sunday night (21st) about 12 o'clock. The scene was the upper Waimea valley. A certain Japanese named Imura, who has a wife and four children, received as visitors that night three friends. About the hour mentioned they were startled by a loud explosion; the floor of the little cottage was destroyed and one man was shot upwards. He, however, was not hurt much, though he is suffering a good deal from shock. There are no external wounds, and there is every prospect of an early recovery. It turns out to be an accident however.

The question uppermost in the minds of the public at this time is, how is it that everyone can get his half dozen or even his one stick of dynamite with which to fulfill his cursed spite or to be a danger to his neighbors? Is there not great negligence in the use of this explosive?

In the case of the Glennan murder it was recorded that the criminal simply went to the tunnel in the evening and procured the giant powder. Should it not be stored away in safekeeping, inaccessible to any but one who is responsible? A gentleman of experience in work requiring the use of this explosive has informed us that he made his men account at the end of the day for every cap and stick of powder and these were carefully locked away in a safe until needed.

Twice have we been warned not to allow the explosive to be convenient to the hand of the degenerate or the inexperienced. We trust the doors will now be safely closed and strict account kept of every stick, cap and fuse.—The Garden Island.

### Waterfront Stevedores on Strike.

A strike of stevedores took place on the waterfront yesterday and little work was being done on vessels discharging and loading. The stevedores, who were whites, Hawaiians and Portuguese, struck because Japanese have been put to work in place of several members of the Stevedores' Union.

A meeting of the Union was held yesterday afternoon at their hall over the Brooklyn Saloon on Alakea street, and it was agreed to continue the strike and tie up shipping in general until the demand to replace the Japanese with citizen labor was complied with. The Union has directed its mandate to the stevedoring firm of McCabe, Hamilton and Rennie.

President John Rothwell of the Union said yesterday afternoon:

"Our Union belongs to the International Longshoremen, Marine and Transport workers Association, an organization which reaches every American port. We comprise Honolulu Branch, No. 525, but have not been closely organized until recently. The firm of McCabe, Hamilton & Rennie learned the names of several of the important members and checked them off their working rolls, replacing them with Japanese stevedores. We held a meeting and it was agreed that unless these men were put back on the rolls and the Japanese displaced, we would strike. Our demand has not been complied with, and the strike went into effect this morning.

"If our demand is not met we will tie up every vessel worked by Japanese. This will not only be effective in the port of Honolulu, but wherever these Japanese-worked vessels go they will be tied up by the branches of the ports at which they arrive.

"This is a warning to captains of vessels, because being a branch of the International Association, our request will be complied with by broker branches.

"We sent a cablegram yesterday to Secretary Henry Barter at Detroit, Michigan, advising him of the local situation, and expect an answer from him at any time.

"All we ask is that citizen labor be employed. By citizen labor we mean whites, Hawaiians and Portuguese. We consider ourselves a strong organization with 575 men enrolled."

The officers of the Honolulu branch are John Rothwell, president; H. Manasse, vice-president; J. K. Manasse, secretary.

Mr. Rothwell also said:

NO OTHER LINIMENT will heal a cut or bruise so quickly as Chamberlain's Pain Balm. No other affords such prompt relief from rheumatic pains. No other is so valuable for deep seated pains like lame back and pains in the chest. Give this liniment a trial and become acquainted with its remarkable qualities and you will never wish to be without it. For sale by all Dealers and Druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

## OUSTED IN KONA

### The Baker Ejectment Case Again Up.

Esther K. Baker has filed a big damage suit against High Sheriff Brown, Sheriff Lorrin A. Andrews of the island of Hawaii, Superintendent of Public Instruction Alatan T. Atkinson, Deputy Sheriff Geo. P. Kamaoaha and Ella H. Paris, in the sum of \$20,000.

The plaintiff was ejected from a residence in Kona, which she claims to be her own by right and title, on the order of the government, pugilist "Jack" Weday and Messrs. Winslow and Stone being sent from Honolulu to put her off the premises.

The plaintiff claims that the Superintendent of Public Instruction claimed in behalf of the Board of Education the right and title to hold and occupy the premises. She claims that for the part High Sheriff Brown took in the premises he is liable and responsible for all acts done by his deputy in Kona district. Defendant Lorrin A. Andrews was Sheriff of Hawaii and was in control of the police force of the island of Hawaii, and George Kamaoaha was the Deputy Sheriff. Ella H. Paris, she claims, represented the Board of Education.

Mrs. Baker alleges that on or about September 1, 1903, the defendants maliciously and illegally agreed to have her and her husband arrested and taken in custody from their home in Kona. On September 4 she alleges that Kamaoaha appeared before the district judge and swore to a complaint against her and procured a warrant for her arrest. On September 5 Deputy Sheriff Kamaoaha took the plaintiff into custody and conveyed her over a stretch of country, five miles in extent, together with her husband, to the village of Hookeena. The arrest was effected about 6 a. m. and she was detained in custody until 2 p. m. She claims she was denied the privilege of giving bail and was not given an opportunity to go to trial. The case was continued until October 5, on which date the complaint against her was nolle prossed. She claims that Ella Paris caused certain persons to enter upon the premises and the house while she was at Hookeena and endeavored to force the children from the place. Mrs. Baker and her husband appeared upon the scene and drove Ella Paris from the house. For this action she claims damages in the sum of \$10,000.

In the second count of her complaint the plaintiff alleges that on September 13 the defendants caused Messrs. Weday, Stone, Winslow and Overend to eject herself and family from the house. She says:

"The defendants caused certain rough, violent and lawless persons, to wit, one Jack Weday, a pugilist and prize-fighter, and one Stone and one Winslow, to proceed from Honolulu to said Kona, and further caused Harry Overend to proceed from Hilo to Alae and on September 12 they were joined by defendant Kamaoaha. That all these persons proceeded after dark on the night of said last day to the premises occupied as aforesaid by this plaintiff, and then and there forcibly and without process of law, certain of these persons being armed with a variety of deadly and lethal weapons, entered the house and living and sleeping rooms, and then and there greatly alarmed and terrified the plaintiff and her husband and family, and then and there ordered her to forthwith remove and vacate from said house and land.

"Her husband declining to do so, they threatened in a loud and menacing voice, and with the display of lethal weapons, that they would forcibly remove the plaintiff and her husband, family and belongings from said house and premises. After much pleading by the plaintiff and her husband, said Weday, Stone, Winslow, Kamaoaha and Overend consented to defer the expulsion until daylight, but Weday, Stone, Winslow, Overend remained in the house and in the sleeping room of the family during the remainder of the night.

"That in the morning of Sunday, September 13, said Weday, Stone, Winslow, Kamaoaha and Overend, forcibly and with great violence and insult to the plaintiff, did physically assault and carry, convey and conduct and expel the plaintiff and her husband and family from the dwelling, and did also remove the household goods and deposited the same on the public highway."

### Sheriff Not Responsible.

G. F. Gouveia's suit against High Sheriff A. M. Brown, as Marshal of the late Republic, claiming \$10,000 for unlawful ejectment, came to an end with a directed verdict for defendant before Judge Gear yesterday afternoon. The ground of the motion for such a verdict, made by Mr. Robertson, was that the Marshal was not responsible for the unlawful act of a policeman.

Mr. Bittling for the plaintiff argued at length against the motion, contending that in the service of writs directed to the Marshal or his deputies a policeman was de facto a deputy of the Marshal or, as at present, of the High Sheriff.

Judge Gear maintained that the law did not sustain the contention of the plaintiff, therefore directed a verdict for the defendant. He said the policeman was the person who should have been sued.

Mr. Vivas, associate counsel for the plaintiff, remarked after the court rose that the only thing for a man to do when a policeman entered his premises with a process was to blow the policeman's brains out.



# HILO HOSPITAL CLOSED BY FINANCIAL STRESS

Board of Health After Its Meeting Takes an Ambulance Excursion to Visit the City Cemeteries.

In consequence of the existing state of Territorial finances, Hilo is to do without a hospital. This was one of the most important matters coming before the Board of Health at its weekly meeting yesterday, constituted by Dr. Cooper, president; Fred C. Smith, Dr. W. H. Mays, John C. Lane, E. C. Winston and M. P. Robinson. There were in attendance C. Charlock, secretary; Dr. Pratt, city sanitary officer; J. D. McVeigh, superintendent of Settlement; Miss Mae Weir, stenographer, and F. W. Beardslee, architect. The following letter and enclosure give the story of the Hilo hospital:

## CLOSING HILO HOSPITAL.

Hilo, Hawaii, Feb. 25, 1904.  
C. B. Cooper, M. D., President Board of Health, Honolulu.

Dear Sir: The trustees of the Hilo hospital held a meeting on February 24, 1904, to consider the pros and cons of the matter of continuing to run the Hilo hospital. The hospital building is in need of repairs to prevent serious decay, and we have no money available for this purpose except the monthly appropriation made for us by the last Legislature. This is not enough to keep the hospital running and do any repairs unless we have in the hospital a large number of pay patients.

In view also of the uncertainty of whether the appropriation can be drawn for the running expenses for services, salaries and supplies together with other complications of which you personally are informed, the trustees passed a resolution, a copy of which I enclose herewith, to the effect that the hospital be closed up temporarily and until the financial status is ascertained and the needed repairs done.

One reason for our present action in this matter is that there is now so very little sickness in Hilo that it seems uncalled for to keep the hospital running at this particular time of financial complications, for the very few patients that we do have. There has been almost no time when the hospital is entirely without a patient, but the reports sent you monthly of the inmates show you how very few really important cases have been going there lately, hence our belief that the place should be closed now and the buildings put into such shape with the money (if any is available) so as to have the institution in good order when it is required more than now.

Trusting this will meet your approval, I remain,

Yours truly,

L. A. Andrews,  
Chairman Trustees Hilo Hospital.

At a meeting of the trustees of the Hilo hospital held at the parlors of the First Bank of Hilo, Feb. 24, 1904, the following resolutions were introduced and passed:

First: That the hospital be closed on account of the uncertainty of the finances and as the trustees do not wish to be held responsible for salaries of employees and bills for supplies. All positions with the exception of a care taker be declared vacant at the end of the month of Feb., 1904, and the chairman be authorized to appoint someone as caretaker.

Second: It was moved that the physician be instructed not to admit any more patients and to have all patients out of the hospital by the end of the month.

## OTHER MATTERS.

Mr. Lane was granted further time for a report of the committee on duck ranches at Kailua.

The cemetery committee had no report, but after the meeting the Board in a body drove to the various city cemeteries, taking the ambulance for

a vehicle, for the purpose of inspecting conditions.

President Cooper reported on his conclusion of negotiations with the Bishop Estate for a new lease of Kailua land, which has already been reported. His action was approved.

Dr. Geo. Herbert by letter accepted the offer of membership of the examining board.

Edwin A. Namohala was appointed as assistant sanitary inspector for Hilo at a salary of \$50 a month.

Dr. J. T. McDonald by letter reported on his special mission to Hilo. He was cordially received at the wharf by several citizens, among whom Dr. Stow made the visiting bacteriologist his guest during his stay.

President Cooper submitted a draft of sanitary regulations for Hilo, which was deferred for action until next meeting.

## PLUMBING REPORT.

E. G. Keen, inspector of buildings, plumbing and house sewers, reported as follows of the detail of work of his office for the month of February:

Plumbing plans filed and permits issued for same, 40.

Final certificates issued, being number of pieces of plumbing furnished, 38; number of sewer connections made, 18.

Fourteen building permits were received and 13 approved; one held for investigation.

During the month I inspected 5 building sites and made 16 inspections of buildings under construction in order to keep parties building within the regulations and also 9 inspections where interior changes were being made.

Total number of inspections made during the month, 191.

## EXPENDITURES ARE GREATER

The comparative statement of Territorial finances for the month of February published elsewhere in this issue show heavier receipts and larger expenditures than a year ago for a similar period.

The total collections for February, 1904, amounted to \$97,521.71, while the receipts a year ago were but \$77,819.03. In the same month this year the expenditures amounted to \$188,386.81, while a year ago the expenses of government aggregated but \$157,606.54. A year ago there was a cash balance at the end of February amounting to \$376,741.39 while this year the cash balance amounted to but \$8,817.23.

## COMMON PROPERTY

Public Praise is Public Property — Honolulu People May Profit by Local Experience.

Grateful people will talk.

Tell their experience for the public good.

Honolulu citizens praise Doan's Backache Kidney Pills.

Kidney sufferers appreciate this. They find relief for every kidney ill. Read what this citizen says:

"The Rev. J. Nua, Kawaiahao Islands."

"I suffered from kidney trouble, which was, I believe, caused by my lifting heavy weights whilst young. Pains in the small of my back were one of the symptoms of my complaint. My trouble extends back to the time when I was 28 years of age, and as I am now 49, that is a considerable period. During all this time I was subject to pains in the back. I consulted several physicians and took numerous remedies. No relief thus gained can be compared to the benefit obtained from using Doan's Backache Kidney Pills. I have got on wonderfully well since taking them. I am quite satisfied with the result, and shall always have some of the pills by me, even when going from Honolulu to other missionary fields in the South Pacific. There is no other remedy like Doan's Backache Kidney Pills for kidney complaints, including backache."

Doan's Backache Kidney Pills are sold by all druggists and storekeepers at 50 cents per box (six boxes for \$2.50), or will be mailed on receipt of price by the Hollister Drug Co., Honolulu, wholesale agents for the Hawaiian Islands.

## WILL INSPECT THE KAUAI LIGHTS

Captain Niblack, U. S. N., Assistant Lighthouse Inspector, leaves today on the steamer Mikahala for Kauai, where he will inspect the various lights and buoys on the Garden Isle. He will be assisted in this work by Captain Gregory of the Mikahala, who knows about every foot of water about Kauai and Niihau.

# WILL FIGHT PROSECUTION

Defendants in Voucher Cases Doubly Attack Indictments.

Solomon Meheula, Enoch Johnson and Jonah Kumalae will have two strings to their bow in fighting their respective indictments when called to plead before Judge Robinson at 10 o'clock this morning.

Meheula is going to challenge the panel of the grand jury, besides entering a motion to quash his indictment for gross cheat. If the former device should avail for him, it would also upset the prosecution in the other House voucher cases and, incidentally, make void all indictments returned by that grand jury.

There is a separate motion to quash in each case, the grounds as shown below with regard to Meheula being practically alike in all. One point of difference appears in Johnson's individual case, being a plea that the grand jury could not legally indict him twice for the same acts. He says that his separate indictment for gross cheat is upon the identical facts alleged against him in his indictment jointly with Representative Kumalae for conspiracy.

The pleadings here described were filed by C. W. Ashford, attorney for defendants, yesterday afternoon.

The challenge to the panel of the grand jury is on the ground that the twenty-three names thereof were drawn from the "grand jury box" when it contained fifty names on separate pieces of paper, and that when such fifty pieces were placed in such box for such drawing they had been drawn from a less number than the 250 names that the law requires. How this happened is explained by the statement that the complete list furnished by the Jury Commissioners was depleted by fifty names withdrawn by order of Judge De Bolt to draw a trial jury therefrom, so that but two hundred names remained to be placed in the box for the drawing of the grand jury.

In the case of Meheula, the motion to quash the indictment is partly based on the alleged illegal drawing of the grand jury. It is further alleged that the grand jury had no right to indict the defendant because he had not been arrested or apprehended previous to the finding and return of the indictment; that he had not previously been examined or placed upon hearing or trial or defense before any court or magistrate, where he might have been afforded an opportunity to meet his accusers face to face, and that he had no right or opportunity, prior to his indicting, to challenge the members of the grand jury.

It is alleged that the indictment is informal in not being endorsed with the name of the foreman of the grand jury or that of any prosecuting officer; also in not having endorsed or written upon it the name or names of any witnesses.

The grand jury, it is contended, had no legally chosen or appointed foreman, as the court in assuming to appoint Edgar L. Lewis as such foreman exceeded its authority.

Finally it is contended: "That said indictment is founded in part upon certain evidence given before the grand jury by this defendant in person, and that the evidence so given by this defendant was given against the will of this defendant, and as the direct result and in consequence of this defendant's intimidation by the Deputy Attorney General, E. C. Peters, Esq., who examined this defendant before said grand jury, and then and there repeatedly threatened this defendant with prosecution for contempt of court and other offenses if this defendant should persist in the refusals which this defendant repeatedly expressed, to answer questions concerning the matters then and there under investigation, to wit the matters charged against this defendant in said indictment."

## FORESTRY BOARD IN NEW QUARTERS

The new quarters for the Board of Agriculture and Forestry at the government nursery have been finally completed, and the first meeting was held there yesterday by the board.

The old storehouse, which a few months ago was in an utterly disreputable state, has been converted into a building of plain but neat appearance, and with a very attractive exterior. A cement pavement takes the place of the old earthen floor and the rough walls have been replaced by highly varnished woodwork. The entrance to the building is from King street. At the right is the large meeting room, with a hardwood seat built around three sides of it. Here also are the library cases, in which there is already quite a collection of books. Next to this room is the general office, and there is also a room for the forester, and for the gardener on the same side of the building. A "bug room," used for segregating insects, is also on the right hand side of the building. The left half is given over to the entomologists. There is a laboratory room, an office in which is the library, a room for unpacking and an exhibition room, all quite large and attractively finished. The employees of the department, as well as the Board of Agriculture, are highly pleased with the building in which are provided up-to-date appliances for their work.

# DAMAGES FOR RILEY

Davis Cannot Get Into Circuit Court.

At 11:50 last night, after an absence of two hours and thirty-five minutes, the jury rendered a verdict for \$1000 damages for Mr. Riley.

W. R. Riley's suit for \$15,000 damages against the Metropolitan Meat Co., on account of injury to a leg from a runaway, went to the jury before Judge De Bolt at 9:15 last night. Prior to that the evening session was devoted to argument on instructions and the delivery of the court's instructions to the jury.

At the opening of the court in the morning the cross-examination of Dr. Geo. Waldo Burgess by Mr. Douthitt, for the defendant, was concluded.

Mr. Stanley, for the defendant, asked that an X-ray picture of plaintiff's knee be produced, but the court denied the request.

Mr. Dunne, for the plaintiff, placed in evidence the mortality table in the American and English Encyclopedia of Law.

Drs. J. T. Wayson and A. G. Hodgins were called for the plaintiff and the former's bill to Mr. Riley for \$201 was put in evidence.

Mr. Stanley called, for the defendant, Dr. C. B. Wood, Dr. St. D. G. Walters, Marston Campbell, Mrs. Annie Atwater, G. Jewett and Tax Assessor Jas. L. Holt.

Finally, Messrs. Dunne and Ball called Mr. Riley to rebut evidence of the defendant.

## DAVIS SHUT OUT.

Judge De Bolt yesterday morning rendered the decision of the Judges of the First Circuit, signing it alone as First Judge. "In the matter of the petition of George A. Davis for admission to the bar of the Circuit Court of the First Judicial Circuit of the Territory of Hawaii." It is in the words following:

"Petitioner, notwithstanding the order of the Supreme Court (15 Haw. 229) that he be 'disbarred and that his name be stricken from the roll of attorneys and counselors of the courts of this Territory,' now presents his petition to this court, praying that he may be now admitted a member of the bar of this court and that he may have his name enrolled upon the records of this honorable court as an attorney and counselor thereof.

"The order of the Supreme Court, however, is binding upon this court and the judges thereof."

"The petition is denied."

## BASELESS APPEAL.

An appeal from Kaula has been dismissed by the Supreme Court because it was found to have no basis whatever. Curiously enough the appellant is a lawyer defending his own case. Justice Gairbairn writes the opinion of the court, which is as follows:

"Assumpsit before the District Magistrate, at Lihue, Island of Kaula, for balance claimed on account for lumber and material sold and delivered by the plaintiff to the defendant. Judgment was rendered for the plaintiff in the sum of \$300, attorney's commission and costs of court.

"The defendant appealed to this court on points of law. Three points were set out in the certificate, but two of these are abandoned and the point relied on is that the magistrate erred in refusing to permit the defendant's witness, T. Onokea, to testify.

"The transcript of the evidence shows that Tom Onokea testified as a witness in the case. It does not appear from the transcript or otherwise that any testimony was offered and rejected or that any witness was denied the privilege of testifying on behalf of the defendant. If there was any error of this character committed by the magistrate, during the course of the trial, there is no evidence of it in the record. No question of law is presented by this point.

"We have searched the record in vain for some plausible ground for this appeal and are forced to the conclusion that no meritorious excuse is presented for the presence of this case in this court at this time.

"The appeal is dismissed and the cause is remanded to the District Magistrate for such further proceedings as may be necessary."

John D. Willard and Chas. F. Peterson for plaintiff; S. K. Kaeo, in person, and A. G. Correa of counsel.

## LIABILITY OF PARTNERS.

The Supreme Court by Chief Justice Frear has rendered an opinion affirming judgment of the District Court of Honolulu in the case of Jan Ban vs. Tsen Kuei, Tsen Ngan and Tsen Shoon, partners under the name of Wo Yick.

It was an assumpsit suit for \$172, balance of a loan of \$200 to the defendant partners. After they had paid \$29 the defendant Tsen Yim bought out the other partners and continued to conduct the business alone. He gave a note for the balance, \$272, after which two payments each of \$50 were made, leaving the \$172 now sued for unpaid.

The plaintiff testified that "Tsen Yim assumed the business, admitted the debt and promised to pay \$272. He promised to pay and I accepted his responsibility for the amount." Whether the magistrate ought to have found as a matter of fact from this that there

was a complete novation the Supreme Court states it does not need to say. The matter is before it solely on the question as to whether the magistrate was obliged to so find as a matter of law. If a review of the findings of fact were desired, the appeal should have been to the Circuit Court. In the opinion of the Supreme Court the testimony quoted was insufficient to require the magistrate as a matter of law to find that there was a novation.

The law is stated in the syllabus as follows:

"An action may be maintained on an original partnership indebtedness notwithstanding that one of the partners, after buying out the others, has given a note for the antecedent debt, unless all the parties to both obligations agreed that the note should operate as an extinguishment of the antecedent debt."

Robertson & Wilder for plaintiff; C. W. Ashford for Tsen Yim and Tsen Kuei.

## ASSESSOR LOSES CASE.

The Tax Appeal Court has been sustained by the Supreme Court in its valuations from which Tax Assessor Pratt appealed in the matter of assessment of taxes on property of Mary A. Richards, the following being the particulars: Land in Vineyard street, area 2.25 acres; returned at \$8,000, assessed at \$14,000, valued by Tax Court at \$8,000. Improvements on same land, returned at \$6,500, assessed at \$8,000, valued by Tax Court at \$6,500. Castle & Withington for taxpayer; Robertson & Wilder for assessor.

## QUEEN'S HOSPITAL APPEAL.

J. H. Fisher, Auditor of the Territory, by his attorney, E. C. Peters, Deputy Attorney General, files a motion to dismiss the appeal of the Queen's Hospital, a corporation, from the payment of the subsidy appropriated for the hospital by the Legislature. The ground is that the \$10,000 appropriated in the six months' bill, and the \$30,000 in the eighteen months' bill, neither of them, "was or is a necessary current expense of carrying on the government of the Territory of Hawaii and, or, meeting its legal obligations, as the same are now or were provided for by the then existing laws."

## GOUVEIA'S TROUBLE.

J. M. Vivas and C. C. Biting, attorneys for defendant, have moved to place on the Circuit Court calendar the appeal from Honolulu District Court in the suit for summary possession of T. R. Walker, T. May and J. Osborne, trustees of St. Clement's Episcopal church, against Gouveia. The matters involved are those on which Gouveia sued High Sheriff Brown for \$15,000 damages on account of unlawful ejectment as alleged, the case being that in which Judge Gear directed a verdict for defendant on Tuesday last.

## DISMISSED FOR DEFAULT.

There was no response for defendant when the case of Manufacturers' Shoe Co. vs. John F. Colburn was called before Judge Gear yesterday, and the defendant's appeal from the Honolulu District Court was dismissed. J. L. Kaulukou, attorney for defendant, later in the day, filed a motion to reopen the case with an affidavit showing that he had been unavoidably detained when the case was called.

Mr. Kaulukou expressed himself to an Advertiser reporter on the matter, saying he thought such a summary dismissal of an appeal was liable to work injustice.

"This was an appeal to a jury," the attorney said. "There is no verdict on which to issue an execution. Which court should issue the execution in such a case? That is a question."

## COURT NOTES.

Emma M. Nakulua has filed a bill of exceptions to the verdict for defendant found by the jury, together with rulings and instructions of Judge Robinson, in her damage suit for trespass against J. H. Schnack. Lorrin Andrews is her attorney.

In the suit of Ching Mon Kerr against the four partners in the firm of Kwong Tung Cheong, with P. H. Burnette as garnishee, the garnishee answers denying all business relations with any of the defendants at the time of service of summons.

Judge Gear discharged Goto under a writ of habeas corpus yesterday on the ground previously reported, namely, that he could not be imprisoned in default of paying a fine of \$300 without indictment by a grand jury.

Civil cases on the calendar, from No. 202 to 248, will be called by Judge Gear at 10 o'clock this morning.

## SEAMAN SIEBERG GIVES HIS STORY

Seaman Sieberg, formerly with the bark Star of Bengal at Makawili, takes exception to a letter from Captain Henderson of that vessel, which was printed in an evening paper yesterday. In this the captain states that Sieberg came by injuries on board the vessel while engaged in a fight with a sailor named Maguire.

"I did have a fight with Maguire," said Sieberg last evening. "but my injuries were not received that way. That statement is absolutely false. I was hurt through the breaking of a rope which held a basket of ballast stone in the air directly over the hatch opening. I was struck on the head by a falling stone, my skull being fractured. I was sent to the hospital at Waimea. As I was hurt while on duty, it was the duty of the vessel to give me and pay for my medical attention, no matter what the bill might be. I was then sent to Honolulu for further treatment. The captain says the Shipping Commissioner has been furnished with the surgeon's certificate of expenses. That has nothing to do with me. I feel pretty sure that no captain would pay \$104 for medical services if a sailor received injuries in a brawl with another sailor. This fact demonstrates that the captain paid this bill because I was hurt in the direct performance of my duty, and for no other reason.

# A BOOK OF LEGENDS

Latest Publication by Hawaii Promotion Committee.

An interesting, as well as valuable, booklet is the latest publication of the Hawaii Promotion Committee on "Hawaii, Its People and Their Legends," by Mrs. Emma Metcalf Nakulua. Printed on book paper, handsomely illustrated in dark heavy paper covers, decorated with the Hawaiian coat of arms in gold, the brochure is one which no doubt will be eagerly sought for on the mainland.

The writer is more than ordinarily well qualified for the work she has undertaken. As the preface says, Mrs. Nakulua "springs from blood lines which touch Plymouth Rock, as well as midseas islands. High priests, statesmen and warriors join hands in their descendants with pilgrims, law-makers and jurists. Broadly and liberally educated under the immediate care of her father, a Harvard man, nephew of the late Chief Justice Metcalf of Massachusetts, Mrs. Nakulua is fitted to present legends which bring out strongly, characteristics of her race."

Mrs. Nakulua precedes her legend-telling with a brief sketch of the Hawaiian people as a race. She takes the view voiced by others before her, although not by Hawaiians, that her people are descended from one of the lost tribes of Israel, "reaching the mid-Pacific through India, Sumatra, Java and the South Sea Islands."

A number of the more familiar legends are retold by the authoress in her own interesting way, among them "Pele, Goddess of Volcanoes," "Pele and Lohiau," "The Valley of Rain-bows," "Legend of Kalluwa," "Kao-pulupulu and a Prophecy" and others. There is also a brief description of Kamehameha's last Heiau, of the Great Battle of Nuuanu and of Captain Cook's Monument.

The illustrations are unusually good, including photographs of many hitherto unpublished bits of scenery. A. Gartley, Marston Campbell, A. Lewis and other well known amateurs contributed snap shots of places seldom seen, even by the island resident. There are some particularly fine fishing and surf riding views, and of the various falls in the islands. New volcanic views of sublime splendor are also shown with a number of attractive scenes from out of the way places which of themselves should be sufficient to attract the tourist to Hawaii. The booklet also contains a number of photographs of Hawaiian types and a map of the islands, including the Honolulu temperature table for 1903.

The press work is by the Hawaiian Gazette Co.

## GOVERNOR WILL INSPECT POLICE

Governor Carter will inspect the police force on Sunday morning at 10 o'clock. The foot, mounted and special police will be inspected in their different uniforms, and with their various arms.

The foot force will be put through the manual of arms and various maneuvers, the mounted force giving an exhibition of cavalry movements.

The Governor will then inspect the various rooms provided for the officials and officers, as well as the cells. A visit to Oahu Jail will complete the inspection.

## CAPTAIN NAPALA GETS LIKELIKE

Captain Napala, master of the old Wilder steamship Lehua, has been promoted to the captaincy of Wilder's new steamship Likelike, which is scheduled to begin its runs from Honolulu to other islands on April 1. Captain Napala is one of the oldest officers in the Wilder service and is a mariner of repute.

The Likelike, which was launched last month at the Union Iron Works, San Francisco, will arrive here this month, and on April 1 will replace the Lehua. She is scheduled to leave here every Monday evening at 5 p. m. for Molokai ports, thence to Maui, thence to Lanai, then to the Kihai side of Maui, touching at Molokai on the way back to Honolulu.

The Likelike is provided with fine decks and every modern convenience.

## PECULIAR FRAMES AROUND THE MOON

The moon presented a peculiar effect last night about 9 o'clock while surrounded by lunar circles. At one time the enclosing bands apparently took the form of a heart, the inner portion seeming to turn from a fleecy white to blood red. The frame then changed to the shape of a diamond and finally to a circle. Weather forecaster Lydecker predicts another storm.

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## ANOTHER OLD LAND DEAL

### Tract on This Island Exchanged for Street.

Another one of the left over land exchanges from the former administration is still occupying the attention of Governor Carter. This is an exchange of Oahu acres with Jas. B. Castle for land secured by Superintendent of Public Works H. E. Cooper for street widening purposes.

Governor Carter yesterday sent to the Board of Agriculture a request that Forester Hosmer be allowed to make an inspection of the lands involved in the exchange, and also that the board itself consider the proposition with reference to the forestry question.

The land involved is at Kalapau in the Koolaula district, and consists of 1195 acres. In a report made to Supt. Cooper by Commissioner Boyd it was stated that the tract is on the mountain side, covered with forests, and with but little agricultural land. Further that the good land consists of small pieces, less than half an acre in extent. It is also stated that the property is of little value for irrigation purposes, because of the great expense, and the fact that the lower lands could be supplied more cheaply from wells. The valuation put upon the land was \$3,000.

According to the papers submitted, which include letters from former Supt. Cooper and Governor Dole the government had already agreed to the proposed exchange. Mr. Castle had given to the Territory a strip of land on the mauka side of the Waikiki road for street widening purposes and was to receive \$1025 for it. The Superintendent agreed to ask the legislature for that sum. If in the meantime a satisfactory exchange of land had not been made.

Apparently the first offer of exchange had been 150 acres of land at Kalapau which had been unsatisfactory, or about which there had been a misunderstanding. This was simply for the Waikiki land, and the papers show that Mr. Castle was under the impression that a new offer was then made to secure all the land through the Castle property required for the extension of Fort street, and this exchange was agreed to. The exchange was approved in Executive Council, the valuation of the Castle land having been placed at \$5,000, while that of the land given him was valued at \$3,000. Both Mr. Cooper and Judge Dole have written letters regarding the transaction, which were submitted to Governor Carter.

The matter was called up at the meeting yesterday with a request from Supt. Holloway, that Forester Hosmer be allowed to make an immediate examination of these lands.

Mr. Giffard said that he had had an interview with the Governor a few days ago regarding the property in question. Governor Carter had stated that he did not feel obliged to carry out the wishes of the last administration, in regard to these matters, and had so informed Mr. Castle. If the Board of Forestry objected to the proposed exchange, the Governor would not complete the deal. He considered that though this was unfinished business he was in a position to withdraw it if objection was made. The matter was one that required immediate action, and the forestry committee was instructed to take it up at once with Forester Hosmer.

#### Inspectors Turned Back.

Kalihi valley residents are complaining about the condition of the roads. In some places holes have been encountered by vehicles from two to three feet deep, and the Chinese gardeners have a difficult job in bringing their produce to market. The breaking down of wagons takes place almost every day.

The macadamized roads from King street through the Kalihi tract withstood the storm, and the Kalihi residents see no reason why their own roads, especially the main one leading to the end of the valley, should not be given a better surface. The hope has been expressed by some of the residents that the road as far as the schoolhouse will be put in repair, as the children have a hard time getting to school.

A delegation of Chinese taxpayers of the valley waited upon the principal of the Kalihi-uka school yesterday and asked her to obtain permission from the Superintendent of Public Works that they be allowed to take rock from the crusher to fill up the holes, they performing the work of hauling and filling without compensation.

It is said that the man who has charge of this section of the roads started up the valley to look it over, but turned back on finding the going so bad.

## MOLOKAI STATION IS NOW OPEN

The wireless line to Molokai was opened yesterday. The Kalaau point station on Molokai has been removed to Kamalo and messages can now be sent anywhere on the island where there are telephone connections.

The government telephone line has been nearly completed to the settlement and the various palat centers will soon be connected with Kalaupapa. It was found by Contractor Cassidy that the telephone system could not be completed for the \$5000 appropriated by the legislature and the natives have been helping without charge, cutting poles and assisting him to erect the poles. They also agree to keep the line in repair.

## JAPAN OF TODAY

Curious Facts About the Mikado's Country—Bicycles, Telephones and Railways—Newspapers Numerous—Progress in Literature—Six Ways to Kill a Man Bare-Handed.

Japan and the Japanese are the country and people upon whom the world's eyes are today fixed, and it may, therefore, be interesting to select from several brand-new books on Japan some of the more striking facts about the "Land of the Rising Sun."

One of the most useful of these books is E. W. Clement's thoroughly up-to-date "Handbook of Modern Japan" (A. C. McClurg). One gets a good idea of the size of Japan from the statement that it is only a little larger than California. It lies between the same parallels of latitude as the States of the Mississippi Valley, and presents even more varieties and extreme climates than may be found from Minnesota to Louisiana. How densely the country is populated may be seen from the statement that, while the area of Japan is only one-twentieth of that of the United States, the population is more than one-half as great. It was 47,646,810 in 1900, and the females exceeded the males by 600,000. The foreigners then resident in Japan numbered, however, only 12,000, of whom one-half were Chinese. Of Japanese, 123,791 were then living abroad, of whom 90,146 were in the United States. So mountainous is Japan that only twelve per cent. of the land is level ground, and a farm of five acres—worked without culture—is considered large. Tobacco, which is largely smoked by both sexes, is not a native plant, but was introduced by the Portuguese.

In his chapter on "Industrial Japan," Mr. Clement speaks of the fact that at the Uraga Dockyard large American men-of-war have been satisfactorily repaired; and on October 15, 1902, a small United States gunboat was launched, the first instance in which Japan has got an order of shipbuilding from a Western country. The new civilization of the West has carried into Japan the itch for gold and the desire for more numerous and more expensive luxuries. A troublesome importation from the West is the labor union. Some of the trades are well organized, and there are frequent strikes. Japan has already 4,000 miles of railway, most of which the government owns. In Tokyo, there are in use 10,554 telephones. Bicycles are very popular, and are cheaply manufactured. To show the extent of Japan's shipping interests, we may mention that the Nippon Yusen Kaisha alone has seventy-six ships totalling 242,000 tons. The foreign commerce of Japan has increased from \$13,000,000 in 1868 to \$265,000,000 in 1902—twenty fold in a third of a century.

The typical Japanese house, wooden, straw-thatched, without furniture, and with its floors covered with matting, is said to be giving way, in a measure, to houses in the Occidental style. It is now common to find in houses of well-to-do people a foreign room with carpet, table, chairs, beds, stoves, grates, pictures, etc. Schools, churches, stores, and other such places are also being constructed with doors on hinges, glass windows, etc. The Japanese eat little meat, and it is sold in small quantities. Beef is cut up into mouthfuls and sold by the ounce; chickens are carefully and minutely dissected and sold by parts, as the wing, the leg, or an ounce or two of the breast.

The Occidental games of cards have become quite popular in Japan, as also tennis and baseball. In the latter great American game they have become so proficient that they frequently win against the Americans and British who make up the baseball club of the Yokohama Athletic Association. They have also taken to Western plays, Shakespeare's "Othello" being put on the stage in 1903 with marked success.

Under the head of "Manners and Customs," Mr. Clement tells of some Japanese superstitions which exist side by side with things most modern. For example:

On the seventh day of the first month if a male swallows seven, and a female fourteen, red beans, they will be free from sickness all their lives; on the tenth day, his teeth will become hard. A child begotten in the father's forty-third year is supposed to be possessed of the devil. When such a child is about one month old it is, therefore, exposed for about three hours in some sacred place. Some member of the family then goes to get it, and bringing it to the parents, says: "This is a child whom I have found and whom you had better take and bring up." Thus having fooled the devil, the parents receive their own child back.

Here is a paragraph regarding arsenals, etc., from Mr. Clement's book: "The guns for the artillery service used to be purchased abroad, but are now chiefly manufactured in Osaka. There is an excellent arsenal in the Kolshikawa District of Tokyo, where the once famous Murata rifle was formerly manufactured, but that has been superseded by the 'thirtieth year' (of Meiji) rifle, and both of these are Japanese inventions. The arsenal is also turning out ammunition at the ordinary rate of a million rounds a day.

The development of the newspaper is one of the interesting features of Japanese life. Thirty years ago there were none. Today there are more than a thousand newspapers and magazines, including in woodcuts, even cartoons. The newspapers are almost all "morning" journals, but go to press early in the evening. The largest magazine, the Taiyo, prints monthly two hundred and fifty pages of Japanese matter, and is finely illustrated. The Japanese taste in books is shown by the replies to the question of a leading firm of book-sellers in Japan, which recently asked a large number of eminent Japanese men of letters, of science, of business, etc., to name their favorite European or American books. The seventy-three answers have been published in a Japanese periodical, and are interesting as displaying the literary tastes of Japanese readers of foreign literature.

The most popular work is Darwin's "Origin of Species," which received twenty-six votes; next came Goethe's "Faust," the "Encyclopedia Britannica," and Hugo's "Les Misérables," in the order named. Among English men of letters, Byron and Tennyson are the most popular. The names of Stevenson, Hardy, Meredith, Mark Twain, and other recent writers are rarely met with, while that of Kipling occurs not even once. Among Continental writers, Tolstol, Schopenhauer, Helme, and Zola are frequently mentioned; and Nietzsche's "Zarathustra" is characterized more than once as the greatest work in the last decade of the nineteenth century.

Another significant statement about books:

In medicine German books have practically driven from the field works in other languages. In politics and diplomacy, however, French works are preferred; Walker's "Political Economy," Jevon's "Money," and Bastiat's "Science of Finance" have a large sale. In law, German works are beginning to predominate. Taine's "English Literature" heads the list in works of reference in several higher institutions of learning. Works on antiquities and ethnology, elocution and oratory, theology and religion, are said to be practically devoid of demand; but philosophical works find good sale, with Herbert Spencer in the van.

The position of the wife in Japan has improved materially within recent years, but in many parts of the empire it still remains unenviable. We quote:

A Japanese woman was subject to the "three obediences": as a maiden, to her father; as a wife, to her husband and his parents; as a widow, to her oldest son, whether real or only adopted. A daughter might even be called upon, for the sake of her parents to sacrifice her honor and enter a brothel; and she was still considered virtuous, because personal chastity was a lower virtue than filial piety.

A Japanese, like a Grecian, wife was to her husband a faithful slave, "something better than his dog, a little dearer than his horse," she was both a drudge and a plaything, to be cast aside as capriciously as a child throws away a toy. She must tamely submit to having concubines brought, perhaps, right into the house at the will of her lord; or she herself might, under slight and flimsy pretexts, be divorced and sent back to her parents. The following "seven reasons for divorce" were laid down by a celebrated Japanese moralist: disobedience to father-in-law or mother-in-law; barrenness; lewdness; jealousy; leprosy or any like foul disease; garrulousness and prattling; stealing.

Another interesting work on "things Japanese" is H. Irving Hancock's "Japanese Physical Training" (G. P. Putnam's Sons) sub-titled "The System of Exercise, Diet, and General Mode of Living, that has made the Mikado's People the Healthiest, Strongest, and Happiest Men and Women in the World"—from which it may be inferred that Mr. Hancock is an enthusiast, as indeed he is. In fact, he is willing to stake his reputation on the statement that a Japanese, weighing one hundred and twenty pounds, trained in jiu-jitsu, excels in strength an American athlete of one hundred and seventy-five pounds. Jiu-jitsu, according to Mr. Hancock, is not only a unique system of attack and defense, but is also a regime whereby perfect health may be attained. Of the origin of jiu-jitsu, the author has this to say:

It was discovered that by pressing thumb or fingers against certain muscles or nerves momentary paralysis could be produced. It was also discovered that by employing the hardened edge of the hand to strike a piece of bamboo at a certain angle of impact one could break the stick. If one could paralyze one's own nerves and muscles, why not another's? If a man could break a stick by a sharp blow with the edge of his hand, why could he not train himself in the same way to break the arm of a dangerous antagonist? And that was the beginning of the creation of the science of jiu-jitsu.

Japanese wrestling and jiu-jitsu are entirely different. The wrestlers are usually big men (all over six feet) and trained from infancy to their profession. The jiu-jitsu experts, on the other hand, are of ordinary stature. Mr. Hancock says:

Some years ago a contest of the greatest interest took place in Tokyo. The wrestlers brought forward their best man. The descendants of the samurai selected a man whom they considered a worthy representative of their art. The wrestler was to employ his own tactics, the man of the samurai to enjoy equal privileges along his own lines. Thousands of spectators assembled to witness the affair. At the signal the two men rushed at each other. In fifteen seconds, by the stop-watch, the wrestler lay on his back and admitted defeat. In a point of height there was something like a foot in favor of the commoner. He weighed twice as much as did his little opponent.

The author is equally doubtful of the success of an American pugilist under like circumstances: "If a six-foot American boxer were to don gloves and enter into combat with a Japanese descendant of the samurai several inches shorter and of much less weight, and if each were to fight according to his own tactics, there could be but one result. If each were equally skilled in his own kind of work the 'undersized' Japanese would be the victor.

It is difficult to describe the jiu-jitsu system briefly, but here is a paragraph telling of a single one of the many tricks:

Take a point about midway between the elbow and the shoulder of some one else's arm. Employ the grip in such a

## THE SIBERIA WILL TAKE MANY PEOPLE

The steamer Siberia is expected at daybreak today by the agents and will probably not get away before noon tomorrow. The Siberia has a cargo of 2100 tons of freight, being the accumulated cargoes of several of the Maru boats which were withdrawn for war service by the Japanese government.

The Siberia will fill her cabins here, seventy passengers having already booked for the trip, although there are still a few vacant berths left. A number of prominent people will leave for the mainland on the big liner. Among those booked are Mrs. Admiral Cooper, W. W. Bierce and wife, who return to Chicago, A. B. Wood who is going on a year's tour in Europe, S. T. Alexander who returns to the coast; J. F. Morgan and wife, B. G. Holt, Jos. Marsden and many other well known people.

The following are the passengers booked: Mr. and Mrs. W. W. Bierce, Mr. and Mrs. W. J. Landers, Mrs. Admiral Cooper, B. Bonny, B. von Damm, Rudolph Mueller, Emil Tschund, S. T. Alexander, Miss Annie M. Alexander, Miss Edna Wimpel, J. F. Morgan, wife and child, Joe Marsden, Mrs. Kincaid, son and maid, Mrs. A. T. Griffiths, Rev. Amweg, A. B. Wood, wife and child, Mrs. Styne, Master Rolff, Mrs. Prosser, Mrs. C. L. Macfarlane, Miss D. B. Cooper, Master L. B. Cooper, Miss M. E. Carigan, Mary Monsem, Mrs. Neumann, B. G. Holt, F. F. Baldwin, D. E. Llewellyn and wife, H. Tugby, wife and child, Mrs. E. McLean, Mrs. C. M. McNeill, Mrs. T. B. McCauley, F. H. Moore, J. Livingston and wife, E. Wilder, A. R. Henegge, Mr. and Mrs. A. K. Harford, Miss D. F. Farte, Mr. and Mrs. C. W. Kellogg, A. M. Barber, T. C. Treadwell and wife, C. S. Park, Thos. J. Diven, Mrs. Kittle O'Nash, G. McKenzie, Mrs. Grace Waterhouse, Miss Pugh.

#### Sailors Go at Liberty.

E. Schleissig, O. Spielmann, W. Warnt and F. Lobach, the German sailors arrested for desertion from the British bark Clan Buchanan, were released by Judge Gear yesterday afternoon. They are said to have taken to the hills immediately, so as to avoid a probable warrant of arrest out of the Federal court.

The hearing had been going on at chambers, after court term hours, for several days. Judge Gear found a decision in a case he deemed analogous, which convinced him that he did not have jurisdiction but that the matter was one for the United States District Court.

Other than in point of jurisdiction the case is not on a different footing from that of arrests of deserting sailors from foreign vessels here before annexation. It is a matter of obligation between the United States and Great Britain under their treaty of friendship, just as it was such formerly between Hawaii and nations with which it had similar treaties. Under Hawaiian independence masters of foreign vessels would simply notify the police authorities of deserters, when the names of such would be posted in the police station. For each deserter from a merchant vessel hauled in the officer arresting him received a reward of \$10, which came out of the luckless deserter's wages.

These four deserters from the Clan Buchanan must have conceived either a strong aversion to that vessel or a great liking for the Hawaiian climate, as by their desertion they forfeit nearly a year's wages of the three years' voyage for which they shipped.

The men had been arrested on a warrant issued by Judge Gear at the request of British Consul Hoare. From the first the Judge felt doubtful as to his jurisdiction.

way that the fingers dig into the muscles behind the middle of the bone. The thumb's tip should press into the muscles over the front of the bone. Without in any way relaxing the grip, both fingers and thumb should be vigorously pressed over the parallel lines of muscles and nerves. Any experimenter can readily find on his own arm the exact locations of these muscles and nerves, and a little practice with a friend will teach him rapidly how to seize an antagonist's arm and to render that arm momentarily helpless. This is the starting-point of a study of jiu-jitsu.

"Jiu-jitsu," says Mr. Hancock, "is not a science to be entrusted to the keeping of the ugly. There are too many tricks that are dangerous to limb or life. Many of the feats, if carried to extremes, will result in broken bones. There are no less than six blows known to native practitioners of the art that will cause death." Although the author has been taught these fatal blows, for obvious reasons he will not explain them.

"Three Rolling Stones in Japan" (Edwin Arnold, London) is another timely book by Gilbert Watson which, though it does not lend itself particularly to quotation here, is written with a great deal of humor and gaiety. It details the adventures, amusing and otherwise, of three young Englishmen in the Mikado's empire. There are numerous good illustrations, and the volume is otherwise extremely attractive, breathing an irrepressible vivacity. Similar in tone, but perhaps more authoritative, is C. L. Brownell's "The Heart of Japan" (McClure, Phillips & Co.), being "glimpses of life and nature far from the travelers' track in the Land of the Rising Sun." It is written "from the inside" by one thoroughly familiar with the country and its customs. It avoids the obvious and endeavors to present the Japanese view of things—as do the incomparable works of Lafcadio Hearn.

#### THE ALLEGED HUMORISTS.

"Is there anything between you and my daughter?" "Nothing but you."—Ex.

The teacher—"And now, Sammy, where was the Declaration of Independence signed?" Sammy—"At de bottom."—Judge.

## TO AMEND COMPLAINT

### Grand Jury Panel Has Woman's Name.

H. Kendall has petitioned to amend his bill for injunction against the Superintendent of Public Works and Lucas Brothers, without prejudice to the temporary injunction, by inserting the clause quoted below. It is the Lahaialuna Seminary buildings contract that is involved:

"That your petitioner is a resident and taxpayer within the Territory of Hawaii, and that he in company with all other taxpayers of the Territory of Hawaii will suffer great and irreparable injury and damage for which there is no adequate remedy at law if the said defendants C. S. Holloway as Superintendent of Public Works, and Thomas R. Lucas, Charles Lucas and John Lucas, doing business under the firm name of Lucas Brothers, sign the said proposed contract in that by said contract the Territory of Hawaii will contract to pay large sums of money out of the public funds and that said contract is illegal and unauthorized, and that if the proposed contract is signed your petitioner will be deprived of his right under the law as a taxpayer to have the contract for the aforesaid work awarded to the lowest bidder upon public advertisement for tenders who complies with all legal and proper requirements."

#### WOMAN GRAND JUROR.

Pleas were further continued until Monday next in the cases based on the House vouchers. Meheula, Johnson and Kumale, defendants, were present before Judge Robinson yesterday morning, but Deputy Attorney General Peters was detained with business in the grand jury room.

Attorney Ashford has discovered that the name of a woman appears on the jury list as returned by the jury commissioners. This is Winifred H. Babbitt. It was taken from the directory, where it purports to designate a well-known young man of business in Honolulu—Young's establishment, whose proper name is Winifred but who accepted service of summons as a grand juror. The attorney for the defendants, however, says there is a woman living here of the name given in the jury list, and he proposes to add the misnomer to the causes of challenge of the array of grand jurors.

#### COURT NOTES.

Judge Robinson has signed an order allowing a fee of five hundred dollars to Henry E. Highton and W. S. Fleming, in equal proportions, for services rendered in the matter of the guardianship of Susan Brash, whose estate is represented in the petition for fee to be of the value of \$12,000.

The first account of Elise S. V. Neumann, ex-courtrix under the will of Paul Neumann, has been filed. Receipts amount to \$19,491.50 and payments to \$16,835.65, leaving a balance of \$2655.85. J. L. Kaulukou filed a motion to reinstate on the calendar defendant's appeal in the suit of Manufacturers' Shoe Co. vs. John F. Colburn.

It is stipulated between Henry E. Highton and Castle & Withington, counsel for the respective parties, that the suit of Mary A. Rhodes against Rapid Transit Co. be restored to its former place on the calendar.

Judge De Bolt has granted twenty days' further time to plaintiff in Kwong Now vs. Kihona and Kanamu to file his bill of exceptions.

Jury has been waived in Hawaiian Hardware Co. vs. H. R. Macfarlane. Defendants in the partition suit of Lee Chu and C. K. Ai have until March 7, in which to answer the supplemental bill of complaint.

## POLICE NEWS FOR A DAY

Jas. Merseberg, a well known character, was arrested yesterday on a charge of assault preferred by "Rastus," a colored gentleman not known to fame. Merseberg is said to have deluged Rastus with flour, making him look so much like poor white trash that he couldn't look a coon in the face.

Niwi, an old native over seventy years of age was in the police court yesterday morning on a charge of drunkenness. He told Judge Lindsay that he would die if sent to jail, and said that God on high and the judge below were the only ones who could dispense justice and mercy. Judge Lindsay was merciful on this occasion and let the old man off with a reprimand.

The four boys charged with stealing a boat were released, the parents of the youngsters making good the damage they had done.

Sylvester Marks was arrested for larceny of \$16.70.

Two Japanese were gathered in by the police last evening, one for having lottery tickets and the other for conducting a lottery.

#### RUSSIA AND KOREA.

Just before the war broke out, Mr. Angus Cameron published an article under the above title, in The Illustrated London News, in which something of value appeared about the Yalu district. The development of Russian interests at Antun or An-Tung was especially remarked as a sign of promise. This now familiar town or port lies fifteen miles above Yong-an-pe (Yongampho) on the opposite bank of the river. At present, says Mr. Cameron, the export trade is confined to millet and silk-cocoons, the produce of the latter commodity requiring close technical supervision. Eight miles below An-tung, situated on the right bank of the river, is the likh station, San-tuo-lan-tao, where junks and rafts must report and pay the stipulated excise before they proceed onward. The river then bears away to the northeast, and after another stretch of seven miles there comes An-tung, upon the same bank, at a point where the stream divides, the eastern branch being the Yalu River.

An-tung is of quite recent construction, and a few years ago millet-fields occupied the site. Under the care of native merchants large, solid-looking houses have been built, broad streets have been opened out, and an air of unusual prosperity distinguishes the place. The anchorage is thronged with junks, while timber is stacked in vast quantities below the limits of the town. Sea-going steamers of the coast type can here discharge their cargoes, thus obviating transshipment at Ta-tung-kao.

Trade between Ta-tung-kao, which is situated at the mouth of the Yalu, and Chi-fu, is carried on by small steamers of the Mosquito flotilla and one British ship, the Hwang-ho, of the China Navigation Company (Messrs. Butterfield and Swire), while the vast volume of the exports and imports finds its way hither and thither in Chinese junks. The run from Chi-fu port is one of a hundred and eighty-five miles, and the time usually occupied in the trip north-eastward is twenty-two hours, the steamers anchoring in the fairway channel at a distance of four miles from Ta-tung-kao. Ta-tung-kao is a busy town, inasmuch as it is the place of trans-shipment for imports and exports, most of which go to or come from An-tung. The fact that steamers are unable to approach Ta-tung-kao makes An-tung the real business center of the Yalu River. In respect of An-tung, two hundred Russian cavalry have been stationed there for over two and a half years. The cantonment is situated on a small hill marking the northern limit of the town, which has no wall. As usual, through the Yalu Valley these soldiers bear an evil reputation among the natives, from whom they commandeer at pleasure.

Striking away from An-tung, says Mr. Cameron, is the Peking "Great Road," which runs to Liao-yang. Above An-tung the river divides and shoals exist, the water being so shallow that none but native craft can ply. Wi-tu is situated about ten miles to the eastward; and at a point west of Mao-kow-shan, four miles below An-tung, there is the terminus of the branch of the Manchurian Railway which is to strike the river. "The construction of this track," says Mr. Cameron, writing, as should be remembered, in advance of the war, "will begin in the spring of 1904. The first eighty miles offer little obstruction, and it is intended that the work shall be pushed forward until its junction with the main line of the system is accomplished. With this undertaking the position of Russia will take on a new phase, and the isolation of Port Arthur, at present a very grave defect in the strategic qualities of her military situation in Southern Manchuria, will have been dispelled. The disposition of her defensive front will then extend between the Liao and the Yalu estuaries."

It will be observed that the breaking out of the war in February, left the isolation of Port Arthur unrelieved—an isolation which is believed to have been made the more complete by the destruction of over seventy miles of the connecting railway.

It will be interesting for New Yorkers and New Englanders to learn from the Advertiser of this city that their country embodies "the richest agricultural districts in the world." As a matter of fact, that particular section of the United States, from which the editor of the morning paper hails, is notoriously the poorest agricultural spot on God's footstool, the desert of Sahara probably alone excepted.—Independent.

The county of Worcester (Mass.) was, as lately as 1894, the fifth manufacturing county of the United States and the EIGHTH in the value of its agricultural products. The State of New York as an agricultural community is exceeded in its wealth only by Illinois, Iowa, Kansas and Texas, all of which have larger areas.

If the United States wants a numerous militia let it pay the bills. On that basis Hawaii would welcome all the militia it could get.







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The above Insurance Companies have established a general agency here, and the undersigned, general agents, are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

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with Handsome Parlors, Drawing Rooms, Bed Chambers, Boudoirs, Libraries, Smoking and Reading Rooms, Barber Shops, Bath Rooms (hot and cold water), superbly appointed Dining Rooms, glittering with Mirrors, Cut Glass, Fragrant Flowers, Electric Candelabra, etc.; Promenades, Observation Rooms, Electric Lights, Electric Fans, Telephones, Electric Reading Lamps, Perfect Heat, etc.

## RUNS EVERY DAY IN THE YEAR

Full Information Cheerfully Furnished on Application to

S. F. BOOTH,

General Agent

1 Montgomery St., San Francisco

OR,

E. L. Lomax, G. P. & T. A.

Omaha, Neb.

A deputation of three members of the band will wait on Governor Carter with reference to a cut in the band's latest appropriation, supposed to have been made inadvertently by the Legislature.

## FAILED TO GET PAY

Jurors May "Strike" if Fees Are Not Paid.

One of the Circuit Court Jurors intimates that Judge De Bolt may have a "strike" on his hands if his hard-working jurors are not paid their fees for past services. When February 29 came around the jurors discovered that they were not to participate in the general distribution of government funds. As February 15 passed them by without a sight of treasury gold, some of the jurors began to wonder. On inquiry they were told that the clerk had failed to make up the rolls.

Later they were told that Treasurer Kepoikai had stated that he had no funds for the payment of jurors' fees. Then they received the information that they would be paid on March 7.

"The question in my mind," said a juror yesterday, "is, that if Treasurer Kepoikai says he has no funds for the payment of jurors' fees, where is he to get funds to pay us on March 7? The fees due us aggregate quite a tidy sum, and if the government can't see its way clear to pay this amount, what will it do when the amount is larger? This is the second pay-day we have passed without receiving our hard-earned cash. It seems to me it is up to us to go on a strike."

It is said that some of the jurors went to see Treasurer Kepoikai yesterday afternoon to get some inside history as to the possibility of their being paid soon.

## LEAF HOPPER PEST HAS ALMOST GONE FROM KIHAI.

(Continued from page 6.)

DEBITS.	
Jan. 1, 1903—	
1899 Expense Account .....	\$ 137,198.58
1900 Expense Account .....	321,630.71
1901 Expense Account .....	369,036.04
1902 Expense Account .....	190,426.87
	\$1,018,292.20

(Continued from page 6.)

CREDITS.	
Less—	
Cost of clearing new land,	
Carried to Stock Acct. ....	\$ 15,000.00
Crop of 1903 .....	235,535.17
Crop of 1904 .....	98,261.59
	\$ 348,796.76
Total cost of 1903 crop .....	\$ 316,673.15
Bad Debts written off .....	321.67
Not receipts from 4546.1796	
tons sugar .....	\$ 227,244.90
Store profit .....	2,439.95
Sundry profits .....	492.17
Additional returns, 1902 sug-	
ars .....	19,263.69
	\$ 249,540.74

## Kahuku's Heavy Rains.

Kahuku plantation has a rain record for February of 35.82 inches, the normal being 7.90. Lunkaha is the only place on this island that has a bigger record, but not in the late storm.

## YOU WILL NOT

be deceived. That there are cheats and frauds in plenty everybody knows; but it is seldom or never that any large business house is guilty of them, no matter what line of trade it follows. There can be no permanent success of any kind based on dishonesty or deception. There never was, and never will be. The men who try that are simply fools and soon come to grief, as they deserve. Now many persons are, nevertheless, afraid to buy certain advertised articles lest they be humbugged and deluded; especially are they slow to place confidence in published statements of the merits of medicines. The effective modern remedy known as WAMPOLE'S PREPARATION is as safe and genuine an article to purchase as flour, silk or cotton goods from the mills of manufacturers with a world-wide reputation. We could not afford to exaggerate its qualities or misrepresent it in the least; and it is not necessary. It is palatable as honey and contains the nutritive and curative properties of Pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry; and how valuable such a blending of these important medicinal agents must be is plain to everybody. It is beyond price in Insomnia, Anemia, Weakness and lack of Nervous Tone, Poor Digestion, Lung Troubles and Blood Impurities. Science can furnish nothing better—perhaps nothing so good. Dr. W. H. Daise, of Canada, says: "I have used it in my practice and take pleasure in recommending it as a valuable tonic and reconstructive." It is a remedy that can afford to appeal to its record and represents the science and knowledge of bright and aggressive medical investigation. "One bottle convinces." At chemists.

## BERREY'S COMMERCIAL REPORT

It's up to Gov. Carter and Auditor Fisher and Treasurer Kepoikai. And it is certain that they will make good without delay. The business community of the Islands wants the Territory's financial puzzle solved right away. Merchants cannot carry the warrants and it must be arranged within a week that the public treasury will secure cash or the banks exchange currency for the evidences of debt—preferably the former. It is not quite the thing just now that purveyors should stand for an additional burden of interest. The present situation may be due to legislative incompetence, to some species or instances of extravagance or to any one or group of causes—but it is rapidly becoming unbearable as it is unreasonable. There is presented just now the mortifying spectacle of an old and wealthy government practically in bankruptcy—a concern with a record, sound methods and flawless credit. If it were not for the imminent danger to local commerce it would be to laugh. The Report voices the sentiment of all business men when it declares that there must be immediate relief, that there is no excuse whatever for prolonging a situation that spells early ruin for numberless earnest and honest people, and think of the shame of Hawaiian territorial warrants being at this writing absolutely non-negotiable. The Gentlemen of the Merchants' Association and Chamber of Commerce have acted splendidly in this emergency. They have been frank, energetic and insistent and are to be unreservedly commended.

More power to these brave and sensible conservators of the public interest. This crisis came on during the absence of Governor Carter from the Capitol and the report readily agrees with the friends and intimates of his Excellency that a few days at most will the territory make good again somehow. The Governor is a man of experience in commercial affairs and must realize fully the embarrassments and perils of the dilemma into which the financial bureau of the administration has drifted.

Mr. Jas. L. Holt, for a long time the chief deputy, has been appointed tax assessor and collector to succeed Mr. Jas. W. Pratt, the new commissioner of public lands. Mr. Holt has had excellent training in the office, having served his apprenticeship under Mr. Jonathan Shaw, then witnessed the further development of the bureau under Mr. Pratt.

Mr. Holt accepts the trust at a trying time. There has been as good as a serving of notice upon the tax division of the Territory's revenue department that right here and now the people all along the line propose to stand out to the bitter end against paying taxes one more time on the old boom valuations. The figures must come down, say all. There is going to be vigorous and sustained protest against any longer paying the old ratings on properties that have depreciated a great many points from the boom prices. Owners are organizing and there is one at least very practicable and economical appeal scheme or plan or system afoot. All business men in the group to meet the necessities of hard times have reduced expenses in every direction and now propose making a determined movement to get the item of taxes down to a living and fair basis.

General business during February has been perhaps a trifle better than it was in January. But is rather a matter of the months in the relation to the holidays than any particular change in trading. Sugar advances a trifle. Collections are being made closer where possible and credit men are becoming more and more discriminating.

Nearly every plantation company of the Islands held its annual meeting this month. There is very little in any of the reports submitted that was not already well known to business men throughout the group—that has not already been noted in these reports.

There is still talk of retrenchment yet further even to the hinting of some of the big salaries being shaved a trifle and consolidations that are possible.

On the stock exchange but two securities are influenced by annual reports. Ewa and Waihua are stronger. There was a sale of Waihua at \$38. This was \$3 above the last sale. Ewa is now at \$19.50 bid and \$20 asked. It is very likely to sell at \$20 par this week. Onomea is \$23 bid. The Stock Exchange itself has purchased the seats of A. B. Wood and Frank Hustace, reducing the present membership to thirteen.

And now it is L. L. McCandless—an unusually strong business man—who advocates an Hawaiian refinery and is willing to put up the money. The fact is that several men here can say yes or no to this proposal. Yes or no to the weal or woe of the Islands. What are they going to do about the sugar market?

Booth has at last moved on Desky and the magnificent Pacific Heights project ends—for the present at least, in a foreclosure sale. Desky fought a good fight. It is hardly likely that the Pacific Heights Electric line will close down as it is now on a paying basis.

M. W. McCheney & Sons, in general merchandise on Queen Street for more than twenty years, will wind up their business at once. They lost over \$100,000 in the Kona plantation.

New collection agencies are springing up like candidates on the eve of a convention. Some of the business men are talking of requiring ratings from various of the new bill handlers.

Mr. Tracy has succeeded Mr. Winston as manager of the steam laundry. W. Matlock Campbell has John K. Sumner as a partner in a new lumber business. The Bergstrom Music Co. will leave the Progress Block, having secured one of the stores in the new Old Fellows Building. The Beretania Street line of the Rapid Transit Co. has been opened to Keeaumoku Street in the Makiki district. The Oahu Railway is out and injured several thousands of dollars by the floods. The old ice contact between the Brewery and the Electric Light Co. is at an end, and the Brewery people will likely sell ice on their own account. The war has caused a serious rice famine here. S. De Freest & Co., custombrokers, will dissolve March 1st. A Japanese business closed up last week had assets \$300 and liabilities \$7000 round figures, and dollars not yet. The Report is willing to see defense guns placed almost anywhere around Honolulu just so a good start is made in federal government investment here.

The mortgage indebtedness has increased since our last report \$8,773.18.

Deeds .....	\$109,793.63
Mortgages .....	25,924.18
Chattel Mortgages .....	8,150.00
Releases .....	22,600.00
Partial Releases .....	2,701.50
Bills of Sale .....	2,324.00

Assignment of Mortgages .....	4
Assignment of Leases .....	2
Trust deeds .....	1
Quit claim deeds .....	2
Warranty deeds .....	7
Sheriff's deeds .....	1
Notice .....	2
Affidavit of foreclosure .....	2
Leases .....	8
Power of Attorney .....	1
Consentment .....	1
Agreement .....	1
Correction and Acknowledgment .....	2

## RATES OF EXCHANGE.

Following are the rates of exchange to countries named—Gold Basis: Pacific Coast, 30c per \$100; \$50 or less, 15c; cable transfers, 45c per \$100. Atlantic Coast and Canada, 40c per \$100.

Frankfurt, Germany, 24 1-4 per mark.  
Auckland and Sydney, 489 1-8.  
Hongkong, 46 3-8 per Mexican dollar.  
Amoy, Singapore and Shanghai, 48 1-4 per Mexican dollar.  
Manila and Iloilo, 50 1-2 per peso.  
Yokohama, 49 3-4 per Jap yen.  
Hio, Kobe, Nagasaki, 49 3-4c.  
London, sight purchasing, 488 1-8.  
London, 60 days, 483 1-8.  
London, 30 days, 486 5-8.

Sales on the San Francisco Stock Exchange as per A. W. Blow & Co.'s Stock Report from Feb. 1 to Feb. 15, 1904:

Haw. Com. & Sug. Co., 25 at \$44; 25 at \$44.50; 100 at \$44.75.  
Makaweli, 55 at \$19; 25 at \$19.50; 50 at \$20.  
Haw. Com. & Sug. Co., 5 per cent., 3,000 at \$98.  
Oceanic S. S. Co., 30 at \$437 1-2; 50 at \$475; 100 at \$5.  
Hutchinson Sug. Plantation Co., 35 at \$7; 15 at \$8; 95 at \$8.12 1-2; 15 at \$8.25.  
Onomea, Ex. Dividend Feb. 5, 1904, 20c.  
Paauhau, 100 at \$10; 135 at \$10.50; 5 at \$10.75; 50 at \$11; 205 at \$11.50.  
Sales on the Honolulu Stock Exchange:  
O. R. & L. Co., \$1,000 bonds at \$104.  
Haw. Agr. Co., 5 at \$102.50.  
Waialua, 5 at \$37.50; 5 at \$38.

## DIVIDENDS FEB. 15, 1904.

O. R. & L. Co., 1-2 per cent.; Oahu Sug. Co., 1-2 per cent.; Mutual Tel. Co., 2 per cent.

## MARCH 1, 1904.

C. Brewer & Co., 1 per cent.; Ewa Plantation, 1-2 per cent.; Pioneer, 1-2 per cent.; Waimanalo, 1 per cent.; Inter-Island S. N. Co., 1 per cent.; Haw. Electric Co., 1-2 per cent.; Haiku, 1 per cent.; Paia, 1 per cent.

## JUDGMENTS.

Sabina K. Hutchinson vs. Mrs. J. K. Lauka, assumpsit; judgment for plaintiff, \$214.33.  
W. S. Noblitt vs. Joe Peter, assumpsit; judgment for plaintiff, \$56.60.  
W. S. Noblitt vs. Jas. Kuphea, assumpsit; judgment for plaintiff, \$11.49.  
David Lawrence & Co., Ltd., vs. A. Morimoko, assumpsit; judgment for plaintiff, \$36.61.  
Geo. W. Burgess vs. Wm. W. Boyd, assumpsit; judgment for plaintiff, \$70.55.  
Whitney & Marsh, Ltd. vs. J. D. Avery, assumpsit; judgment for plaintiff, \$19.19.  
Dr. Geo. W. Burgess vs. J. W. Smithies; J. F. Morgan, garnishee, assumpsit; judgment for plaintiff, \$17.60.  
David Lawrence vs. Jen Tai Kee, assumpsit; judgment for plaintiff, \$66.86.  
Wm. L. Peterson vs. Cecil Kilehua, J. H. Fisher, auditor, garnishee; judgment for plaintiff, \$319.

## Sleep for Skin-Tortured Babies

And Rest for Tired Mothers



In a warm bath with CUTICURA SOAP and a single anointing with CUTICURA, purest of emollients and greatest of skin cures. This is the purest, sweetest, most speedy, permanent, and economical treatment for torturing, disfiguring, itching, burning, bleeding, scaly, crusted, and pimply skin and scalp humours, with loss of hair of infants and children, and is sure to succeed when all else fails.

Complete External and Internal Treatment for Every Humour, including Eruptions, Scabs, Boils, Carbuncles, Ulcers, and all other skin diseases. CUTICURA is the purest of emollients and greatest of skin cures. It is the purest, sweetest, most speedy, permanent, and economical treatment for torturing, disfiguring, itching, burning, bleeding, scaly, crusted, and pimply skin and scalp humours, with loss of hair of infants and children, and is sure to succeed when all else fails.

## HAWAII'S CLIMATE BENEFITS APPENDICITIS SUFFERERS

Hawaii is said by local physicians to have one of the best climates for the treatment of appendicitis cases. The ailment has been more pronounced in Honolulu during the past two years and the operations have been more numerous than at any other period. The physicians have observed that the patients rally from the effects of an operation more quickly than in many sections of the mainland, indicating that the island climate has its advantages in this respect.

The number of cases here which have proved fatal under the knife are extremely few. In fact, during the past year there was but one case resulting fatally after the operation, and this was one for which there was but the slightest glimmer of hope. There have been cases in the past year which were looked upon as desperate and the lives of the patients hung in the balance after extremely difficult operations.

The physicians claim that in the mainland patients have to undergo changes of temperature from extreme heat by day to extreme cold by night, or medium heat to cold according to the season, whereas in Hawaii the temperature is more equable, there being no extremes from day to day.

## CORRESPONDENCE OVER COUNTY ACT.

Headquarters of the Home Rule Party,

Honolulu, T. H., Feb. 23rd, 1904.

Fred Turrill, Esq., Vice Chairman Territorial Central Committee of the Democratic Party.

Dear Sir: In the cause of free and liberal institutions for Hawaii, it seems to be of the highest importance that political organizations join urging Congress to make such amendments to the Organic Act as will remove all legal impediments to the establishment of County and Municipal Government in Hawaii. Following the recent opinion of the Supreme Court, the belief is expressed in many quarters that, without Congressional action, no County legislation on the part of this Territory as will give to the people the rights of local self-government can successfully withstand the legal tests that may be brought to invalidate the same.

With this object in view, the undersigned representing a large number of the electorate of this Territory invite the co-operation of your political organization in a joint committee meeting, to discuss the best and most effective way of insuring legislative relief if such a course is deemed advisable in the interest of County Government.

(Sd.)

Very respectfully,  
D. KALAUOKALANI,  
Chairman.

Today the vice-chairman of the Democratic Central Committee sent the following letter of reply, which embodies the action taken by the committee last night:

Headquarters Democratic Party,

Honolulu, March 1, 1904.

Hon. D. Kalauokalani, Chairman of the Home Rule Party,

Sir: I am directed by the Central Committee of the Democratic Party of Hawaii, to notify you, that at a meeting of said Committee held on the evening of the 29th of February, 1904, called for the purpose of considering your communication of the 23rd of February, 1904, relative to "all political organizations joining in urging Congress to make such amendments to the Organic Act as will remove all legal impediments to the establishment of County and Municipal Government in Hawaii," that the following resolution was unanimously passed at said meeting:

"Resolved, that the Democratic Party of the Territory of Hawaii is unalterably in favor of County Government for this Territory, as is shown by its several platforms; and further, that this Party is opposed to any appeal to Congress for aid in securing said County Government; and further, that we deem its future perfectly secure in the electorate of this Territory."

Yours very truly

F. TURRILL,

Vice-Chairman Democratic Central Committee.

Edmund H. Hart,  
Secretary.





## SHIPPING RATE TO HONOLULU

Samuel Sewall of the firm of Sewall & Co., who was here a few months ago on a visit gives some interesting information relative to his experience in seeking Trans-Pacific business, during the hearing on the coastwise navigation laws in the Senate.

Mr. Sewall made this statement, admitting that the proposed law could increase freight rates from Honolulu:

I submit that neither the War Department nor any bureau in that Department is warranted in holding up a great industry, the American ship-building and shipowning industry, with all which that implies, for the sake of saving a few dollars a ton on 6,078 tons of general merchandise sent from New York to the Philippines, or several times that amount.

While in Tacoma last summer I saw a British tramp under charter to the War Department, loading lumber for the Philippines, and within view were several American ships laid up at anchor with no business obtainable which would pay their operating expenses. When in Honolulu last summer I found that much of the coal coming there for the use of our Navy Department came by foreign vessels, and, worst of all, French subsidized vessels, the total of whose operating expenses is paid by the French Government, so that whatever freight they get is clear gain to their owners.

We are receiving coal for our Navy Department through such a channel in Honolulu. My ship is seeking that business. I am offering tonnage to the Bureau of Equipment of the Navy Department. I offered them tonnage only the other day when they wanted a ship for Yokohama. They wanted one for the Philippines, too, and they wanted one for Honolulu not long ago. I offered them a ship at \$6.25 to carry in the vicinity of 5000 tons of coal from Norfolk to Honolulu, and I think I made the same rate to Yokohama. My ship was turned down; \$6.25 is exactly the rate I am receiving on coal. Two cargoes are on the way today from Baltimore to San Francisco. It is paid by San Francisco merchants—that is the rate paid—and it is the market rate in that trade; there is no extortion. My ships were turned down because our Navy Department could obtain foreign ships at a lower price.

Senator Lodge, chairman of the committee, asked how much lower the price was. Mr. Sewall said it was a little over \$5 a ton. The examination continued:

Senator Burrows—And your rate was \$6.25?

Mr. Sewall—Yes, sir.

Senator Hale—You had no bounty on your ships?

Mr. Sewall—I had no bounty. And that is the way it is; we are unable to compete with the foreign ships. After I lost that freight from the Bureau of Equipment I was seeking further employment for the same ship, and the only way in which I could get her to the Pacific was by taking case oil from the Standard Oil Company for Shantung. They offered me 17 cents a case. I demurred at that price. We used to get 40 cents. They said: "Well, it is that or nothing. French ships are offering to leave San Francisco in ballast and come around 15,000 miles in ballast, and accept that rate on case oil." And as a matter of fact, two of them have been chartered and are on the way. Seventeen cents won't pay the expenses of running the ship. The only reason we take it is to get the ship to the Pacific and bring something home. But the French ships take it.

Senator Hale—Because they have a bounty?

Mr. Sewall—Yes, sir; which pays their running expenses, and the 17 cents is practically clear profit.

Mr. Sewall added that such conditions were certainly not encouraging to the shipping industry in this country.

### The Stevedores Strike.

The stevedores' strike seems to be affecting business on the waterfront but little. The places of the strikers have been filled, and although there is talk of intimidation and attempts to get the men to quit work, no violence has been offered. Police were sent to the waterfront yesterday on a report of trouble but Captain Parker soon returned as there was no attempt at violence.

### Niblack's Many Duties.

The Iroquois was formally transferred to Captain Niblack by Commander Rodman yesterday morning. The crew was mustered and the orders read and Niblack then took command. Captain Niblack now has a multitude of duties, being in addition to commander of the Iroquois, captain of the yard, assistant lighthouse inspector and collector of customs for Midway.

### The Wilder Arrives.

The barkentine S. G. Wilder arrived yesterday morning from San Francisco. She was twenty-four days out, having encountered head winds and contrary weather for the greater part of the trip. She passed the Andrew Welch two weeks ago and all was well aboard that vessel.

**THE OLD RELIABLE**

**ROYAL**

**BAKING POWDER**

**Absolutely Pure**

**THERE IS NO SUBSTITUTE**

### ARRIVED.

Wednesday, March 3.

Stmr. Mikahala, Gregory, from Kaula ports, at 3:10 a. m., with 4,100 bags sugar, 150 bags rice bran, 10 bbls. sheep skins, 94 bbls. hides, 17 bbls. poi, 21 empty carboys and 61 pkgs. sundries.

Am. schr. Americana, Lindholm, 61 days from Newcastle, at 10:30 a. m.

Stmr. Lihua, Naopala, from Molokai ports, at 5:35 a. m.

Schr. Lady, from Molokai ports.

Thursday, March 3.

Schr. Ka Mo, from Kohalaale at 8 a. m. with 2664 bags sugar.

Am. bktn. S. G. Wilder Jackson, 24 days from San Francisco at 8:30 a. m.

Stmr. Nihau, W. Thompson, from Hanalei, at 9:10 a. m., with 6900 bags sugar and 2 horses.

Stmr. Maui, F. Bennett, from Papaia, at 9:23 a. m., with 7200 bags sugar and 30 head cattle.

Schr. Yacht Lurline, Sinclair, from Hilo.

### DEPARTED.

Tuesday, March 1.

Am. bark St. James, Mulvey, for Port Townsend, at 8:30 a. m.

Stmr. Ke Au Hou, Tullett, for Anahola, Kapaa, Kilauea, Hanalei and Kilauea, at 9 a. m.

Stmr. Kaena, Pederson, for Honolulu, Kaaupali, Maiala, Makena, Lahaina, Honokaa and Kulahele, at 5 p. m.

Gaso. schr. Eclipse, Gahan, for Anahola, may sail in afternoon.

Schr. Mokihana, for Koolau ports, may sail in afternoon.

Stmr. Kinu, Freeman, for Hilo and way ports at noon.

Stmr. Claudine, Parker, for Maui ports at 5 p. m.

Stmr. W. G. Hall, S. Thompson, for Kaula ports, at 5 p. m.

Am. ship St. James, Mulvey, for the Sound, in ballast, 8:30 a. m.

Wednesday, March 2.

O. S. S. Alameda, Dowdell, for San Francisco, at 9:15 a. m.

Stmr. Lihua, Naopala, for Maui, Molokai and Lanai ports, at 5 p. m.

Schr. Chas. L. Woodbury, Harris, for Hilo and Puako, at 5 p. m.

Thursday, March 3.

Schr. Chas. Levi, Woodbury, Harris, for Pukoo and Hilo at 9 a. m.

Schr. Lady, for Koolau ports at 10 a. m.

Schr. Mokihana, for Koolau ports at 8 a. m.

Stmr. Mikahala, Gregory, for Kaula ports at 5 p. m.

Stmr. J. A. Cummings, Searle, for Koolau ports at 7 a. m.

### PASSENGERS.

Arrived.

From Kaula ports, per stmr. Mikahala, March 2.—C. T. Day, C. F. Herrick, H. T. Hayselden, L. Tobriner, F. Williamson, A. Haneberg, Jose Ellis, Miss A. Kalaloela, E. C. Brown, K. Oda, Mr. Tanaka, Ching Sing, Ah Kau, Leo Y. Anna and 61 deck.

From Molokai ports, per stmr. Lihua, March 2.—John Wilson and 2 deck.

Departed.

Per stmr. Claudine, March 1, for Maui ports: Mrs. C. A. Willis and child, Mrs. So and child, G. O. Cooper, J. G. Smith, W. J. Coelho, Mrs. M. Tavares and niece, Capt. Hipsa and wife and child, F. N. Nelson, H. R. Rosenbly, E. Moller and wife, J. P. Cooke, W. W. Chamberlain.

Per stmr. Kinu, March 1, for Hilo and way ports: H. P. Cambie, H. J. Cambie, E. E. Olding, John Hind, J. S. Low, Miss Freney, A. Louis, Capt. Curtis, Mrs. A. A. Young and child, T. A. Proctor, Mrs. M. Pacheco and infant, S. M. Vanchain, L. Aulu, William Muteh, Meyers Brothers, George H. Robertson, J. Fyer, L. Snyder, Miss L. Toler, Mrs. J. C. Moche, Mr. Walker, Jos. Rosen, J. E. Metcalf and wife, W. F. Finstein wife and son, P. Peck, C. McLennan, Dr. Presbrey wife and son, H. C. Dennison, Mrs. A. Thomas and daughter, Mrs. Ada Osmer, Miss C. Presbrey, Miss Florence Presbrey, Paul Jarrett, W. Lecht, A. A. Young, T. A. Proctor.

Per stmr. W. G. Hall, for Kaula ports March 2: Alfred Akana, W. Wenich, H. E. Pickler, J. Mini, Mrs. Ewaliko, H. W. M. Mist, C. M. Lovestad.

### Shipping Notes.

The Mikahala sailed for Kaula ports yesterday afternoon.

The Nevada will sail from Kahului for San Francisco sometime tomorrow. The Yosemite began discharging her cargo of coal at the Fort street wharf yesterday afternoon.

The steamer Maui arrived from Kaula yesterday morning. A. W. Carter was the only passenger.

Captain Dowdell took the Alameda out without a pilot Wednesday morning. He has held a license as pilot for six months.

Another set of plans for the proposed new immigration station has been sent to Washington. A number of improvements are made over the old plans.

The Alaskan is the next freighter expected from Seattle after the Texan, which is due March 10th. The Alaskan is expected the first of next month.

The steamer Nihau brought 6900 bags of sugar from Kaula yesterday morning. The purser reported: "The ship Henry Villard left Eleale yesterday."

## THE HEIGHTS TO BE SOLD

### C. W. Booth Will Take Over the Land.

Pacific Heights is advertised for sale at public auction on March 28th. C. W. Booth holds a mortgage on the property for \$40,000 upon which no interest has been paid for about two years, and he has already given notice of his intention to sell under foreclosure. The terms of the mortgage give Booth the power to foreclose without recourse to the courts and he has notified Desky of his intentions.

In addition to the \$40,000 mortgage there is interest amounting to between \$7,000 and \$8,000 which is due and unpaid, and the probabilities are that the land will be sold as advertised.

Not all of Pacific Heights is included in this sale, although a number of lots have been sold recently upon which the mortgage still remains. The Pacific Heights electric railway is also exempted from the sale. Bonds were floated to pay for this railroad and a separate mortgage given. About a year ago Mr. Booth released the right of way of the electric road from the provisions of his mortgage. It was thought at that time that Mr. Desky would be able to carry the property but as the situation has not improved nothing could be done. Within the last week or so there was talk of one of the local banks carrying the property but the story was denied at the bank supposed to have been interested.

Pacific Heights was opened up by Mr. Desky during boom times and it was thought at the time that the mountain lots would be in great demand for summer residences. But for some reason the Heights property did not take as well as the Manoa valley lots, and even with the improvement in the railroad system, the sale of lots did not pick up rapidly enough to pay for the expenditure. The property was purchased originally by Mr. Desky from Mr. Booth. Mr. Booth stated yesterday that he had no plans as to the future of the tract of land. He intended to bid up the property to the amount owing to him, and after that would drop out, as long as he received the money due him.

## MIGHT HOLD UP SESSION

### If Treasury Is Empty Legislators May Be Stood Off.

Treasurer Kepolka gives but qualified countenance to the idea of an extra session of the Legislature. He said yesterday:

"I do not think an extra session would do what is expected of it, unless all the heads of departments cut down their estimates and agree to stick to them. If there is not such an understanding, office-holders would get hold of members of the Legislature and induce them to keep their salaries up. Heads of departments ought to warn their subordinates that any attempt at raising their salaries above the amounts put in the bill, if found to have been instigated or encouraged by such subordinates, would lead to their instant dismissal."

Mr. Kepolka was asked if the Treasury would not be embarrassed by the obligation of paying the sessional allowance and mileage of members, together with other expenses of the Legislature, immediately the session began.

"No," the Treasurer replied. "They cannot make their own pay a preferred claim. That would be class legislation. If there is not money enough in the Treasury for the pay of members, I should register their warrants and they would have to wait for their money."

## TEMPORARY PILES NEAR CHANNEL

Office Assistant Lighthouse Inspector, Twelfth District, 35 Alexander Young Building.

Honolulu, March 2, 1904.

NOTICE TO MARINERS—EN-  
TRANCE HONOLULU HARBOR—ISLAND OF OAHU,  
T. H.

Notice is hereby given that the Contractor for the Dredging now in progress in HONOLULU HARBOR has placed, temporarily, three single piles on the eastern side of the channel leading into Honolulu harbor. A fixed red light will be exhibited on each of these beacons between sunset and sunrise. Vessels should pass them on the starboard hand in entering.

By order of the Lighthouse Board,  
Lieut. Commander, U. S. N.  
Lieut. Com. U. S. N., Assistant Inspector  
Twelfth Lighthouse District.

## FOREST LAND WANTED BY PEOPLE OF HAWAII

### Two Applications for Leases Discussed by the Board of Agriculture—One Lease Sold a Year too Soon—Settlers Coming.

Forestry matters occupied the attention of the Board of Agriculture and Forestry almost exclusively yesterday afternoon. The meeting was largely informal and at the next regular session the board will be called upon to approve the work done yesterday.

Mr. Giffard reported that Forester Hosmer had received a notice from W. L. Hall that his report on Hawaiian forests would soon be sent here.

### LAND IS WANTED.

Secretary Holloway presented a communication from Land Commissioner Pratt asking for the action of the board on an application for the lease of lands on either side of Ololoana, near Papa on the island of Hawaii. There are two tracts, one of 3200 acres, the other of 6300 acres, covered at the present time with forests. The land is in the vicinity of Bacholiz' place. In a report to the Land Commissioner, Surveyor Wall says that a strip of the land, a mile and a half wide, is above the 6000-foot mark, and is presumably in the forest reserve section. It was reported further by Mr. Wall, that he had previously been instructed to make a division of the same land into 1000 acre lots for homesteads, and had recommended that the commissioner first make a personal inspection.

Frank Gonveia the applicant for the lease, offered \$300 a year for the entire tract.

Forester Hosmer reported that the land in question was covered with forests and the trees were in fine condition and of great variety.

### SMALL FARMERS WANT IT.

President Thurston stated that the lands were those which Governor Dole had offered for settlement to a party of white men from the mainland. These men had proposed to go into fruit and stock raising, leaving the forest, and clearing away the underbrush to plant grasses for stock. Mr. Thurston stated that agriculture was impossible in that section, which was simply lava flow for a distance of twenty-five miles. There was no agricultural section dependent upon the forests there, for rainfall, but he said that at the same time Kona and Kau must be considered in the disposition of the land. He was of the opinion that a dozen good colonists were more to be desired than as they would not disturb the forests. He believed that these white farmers had gone to the mainland to get their families, since which nothing further had been heard from them.

### UNDERBRUSH NECESSARY.

Mr. Giffard said that he did not agree that cutting away the underbrush would leave the forest unharmed. If this was done there would be nothing for the roots to feed upon, and the trees might be dried up by the sun. Both Foresters Griffiths and Hall had been of that opinion, and it had been found that grasses did not help.

Mr. Hosmer suggested that if forests were wanted, then all the conditions that went with forests must be kept.

Mr. Thurston said that one of the greatest problems before the board would be to find the point of difference between the forest and homestead line. The section in the neighborhood of the proposed lease was all lava and the trees were growing in rocks. In this individual case he believed the homesteads should be given the preference over the forests, although not to be taken as a precedent.

Forester Hosmer said that often homesteads were of great benefit to the community as forests. The lower edge of the forest was where the homesteads could best be located, the only difficulty being in the means of transportation to the farms. If produce could not be taken to market, then homesteads would not be a success, and it would tend to discourage the homestead movement entirely.

Mr. Thurston said that there was a lack of soil in this district but that fruit trees might flourish. As a general principle he believed that the undergrowth was needed for the preservation of the forests, although there were exceptions. He related one exception, where W. H. Shipman had cleared the underbrush from fifteen acres of land near the Volcano House, and the lava trees had grown better than before. Peter Lee, in the same district had cleared about 120 acres and planted grass, which had come up luxuriantly. The lava trees also did better. Both instances he said were contrary to generally accepted rules.

Mr. Hosmer also related a similar instance on Kapapala Ranch where a young ohia forest was coming up finely.

Mr. Giffard said that he didn't wish to act on the matter until he could do so intelligently. He believed that the forester should make an inspection in all such cases.

### COMMERCIAL WOOD.

Mr. Hosmer said that a point to be considered also was the commercial value of the forest. The trees in this section were tall ohia and could be utilized for ties. The commercial standpoint, he believed should be kept in mind as well as the protective feature.

Mr. Giffard said he didn't see much hope for the forests from a commercial point of view. When Kapiolani Park was cleared an effort was made to dispose of the iron wood trees for piles and as railroad ties, but without success. A part had been sold for fence posts and the remainder for fire wood.

Mr. Thurston said that the Oahu Railway had imported redwood ties at less cost than the native woods could be supplied to them. The Hilo Railway

had had the same experience, until recently men had obtained experience in clearing land and had learned how to get out the trees, so that now ties were furnished the Hilo railway from the forests near there at half the former cost.

### SECOND LAND DEAL.

A second letter was received from Land Commissioner Pratt in regard to a proposed lease of land at Honouliuli, Hawaii. This is a piece of 3044 acres, the lease of which does not expire until July 10th, this year, but which Land Commissioner Boyd auctioned off on July 29th of last year for some unexplainable reason. The papers had already been signed by Boyd, but the Governor first desired the approval of the board before sanctioning the deal. The purchasers of the lease were J. G. Henriques and Frank Gomes, and they had offered \$800 per year for the lease. It was decided to refer this lease and also the lease already mentioned, to Forester Hosmer for investigation. Both lands are in the forest belt.

There was a discussion also of the board magazine, and talk of making into a separate journal, apart from the Planter's Monthly. The matter is still in an embryonic state.

There was also discussion of some plan by which the secretary and executive officer could be relieved of part of his duties.

When the forestry act was passed, the Superintendent of Public Works was made the executive officer of the board, as the most of his former duties had been taken away by the county act. Since the county act was knocked out, Supt. Holloway has more work than ever and can not attend to all his duties as secretary and executive officer. It was decided to postpone action until the next meeting when there will be a full attendance of the board.

## JUDGE HIGHTON AT PROBLEM CLUB

Judge Highton delivered an interesting address in the rooms of the Y. M. C. A. last evening before a good-sized audience. He spoke of Christ as a perfect person who had made a complete sacrifice all through his life and introduced into the world an influence which was shaping all things for the best. The Judge appealed to each individual to make a sacrifice in every turn of life even in being polite. He held that those who engaged in good wars made a sacrifice, such as the war the Japanese were waging at present, and such wars as the United States had fought.

Mr. Brown thought that the Judge's address would make an excellent sermon. He spoke further of the sacrifice mothers make for their children.

Mr. Toellner spoke of the negative side of sacrifice such as standing out and alone from others when duty demanded it.

Mr. Law said the first part of Judge Highton's address was excellent, but when he added war to the sacred teachings of Christ he was like the cow which gave a fine pail of milk then kicked it over. He held that Japan and Russia should have arbitrated. He believed the United States was esteemed by the world on account of her cotton plantations, her wheat fields, her oil wells, her steel factories, her honest labor, rather than by her wars.

He said England's glory was in her merchant ships covering the bosom of the ocean and not in her wars.

Mr. Toshi thought one should go to war if he was sure he was right.

Mr. Law asked Mr. Toshi how he harmonized such teachings with Christ's request to love your enemies.

After Mr. Webb and others had spoken on sacrifice in the civilities of daily life a vote of thanks was tendered the Judge for his address.

## THE ALIEN LABOR CLAUSE ENFORCED

The lightning of the exclusive citizen labor policy enacted by the Legislature of 1903 struck the gang employed on the Capitol grounds under Caretaker R. J. Greene. This consisted of twelve men of whom but four were citizens. Under instructions eight were dismissed and their places filled with native Hawaiians out of nine applicants endorsed from both Republican and military headquarters. The men let out were Portuguese who had been employed on the grounds all the way from five to ten years.

Road Supervisor Sam. Johnson said yesterday, in answer to an inquiry, that he had really dismissed no labor under the alien clause. He had simply given notice and the Portuguese affected had become naturalized. With the exception of discharges for want of having anything for the men to do, for every Portuguese he had laid off he put another of that nationality in his place.

## No Strength

Are you easily tired? Is your work a burden? Do you often feel weak and faint? Is your appetite poor? Are you easily discouraged? Then your nerves are weak and your blood impure. Sickness is not far away.



Mr. Frederick Devigne, of Claremont, Cape Colony, South Africa, sends his photograph and this letter:

"My blood often becomes impure, causing eruptions on the skin, and my general system gets all run down, causing indigestion and great debility. But I take Ayer's Sarsaparilla, which quickly brings me out of my troubles. For all those who are debilitated and weakened by the long, hot summers of our country, there is no remedy equal to this grand family medicine."

## AYER'S Sarsaparilla

There are many imitations "Sarsaparillas." Be sure you get Ayer's.

Always keep your bowels in good condition with Ayer's Pills. They are purely vegetable, act on the liver, and cure constipation, biliousness, sick headache, and all liver troubles.

Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U.S.A.

HOLLISTER DRUG CO., Agents.

### FORECLOSURES.

MORTGAGEE'S NOTICE OF INTENTION OF FORECLOSURE AND OF SALE.

A. B. LOEBENSTEIN.

Notice is hereby given that pursuant to the power of sale contained in that certain mortgage dated September 6th, 1897, made by A. B. Loebenstein, Trustee, of Hilo, Island of Hawaii, Hawaiian Islands, mortgagee, to W. O. Smith, Trustee, of Honolulu, Island of Oahu, Hawaiian Islands, mortgagee, and recorded in the Register Office, Oahu, in Liber 171, pages 237, 238 and 239, and which said mortgage was assigned and transferred by said W. O. Smith, Trustee, to A. S. Wilcox, of Hanalei, Hawaiian Islands, Territory of Hawaii, by assignment dated September 6th, 1897, and recorded in the Register Office, Oahu, in Liber 171, page 307, the said A. S. Wilcox, assignee of the mortgage, intends to foreclose said mortgage for condition broken, to-wit, the non-payment of principal and interest when due.

Notice is likewise given that the property conveyed by said mortgage will be sold at public auction at the Court House in Hilo, Island of Hawaii, Territory of Hawaii, at 12 o'clock noon, on Thursday, the 24th day of March, 1904, by I. E. Ray, auctioneer.

The property covered by said mortgage consists of all that certain piece, parcel or lot of land situate in Hilo, Island of Hawaii, Hawaiian Islands, generally called Reeds Island, being a parcel of land surrounded by parts of the Waialuku River, and being a portion of the Ahupuaa of Pihouua, called "Koloiki," and containing an area of 26 acres more or less.

Together with all the rights, easements and appurtenances thereto belonging and the improvements that may be thereon.

Terms: Cash, United States Gold Coin, deeds at the expense of purchaser.

For further particulars apply to W. O. Smith, Judd Building, Honolulu, or I. E. Ray, Hilo, Hawaii.

A. S. WILCOX, Mortgagee.  
Dated Honolulu, February 25, 1904.  
2567—td.

### ADMINISTRATOR'S NOTICE TO CREDITORS.

The undersigned, duly appointed administratrix with the will annexed of the estate of Keawe Kailua, late of Kalaupapa, Molokai, deceased testate, by the Hon. J. W. Kalua, Circuit Judge of Maui, hereby gives notice to all persons having claims against said estate, to present same to Henry Smith at the Judiciary Building, in Honolulu, Island of Oahu, within six months from date, or they shall be forever barred. And all persons owing said estate are hereby requested to make immediate settlement of same with the said Henry Smith.

Dated Honolulu, Feb. 4, 1904.  
MALA KAILUA,  
Administratrix with the Will Annexed,  
Estate of Keawe Kailua.  
2561—6t—F

ONE OF THE TRIUMPHS OF MODERN SURGERY.—By applying an antiseptic dressing to wounds, bruises, burns and like injuries before inflammation sets in, they may be healed without maturation and in one-third the time required by the old treatment. This is one of the greatest discoveries and triumphs of modern surgery. Chamberlain's Pain Balm acts on this same principle. It is an antiseptic and when applied to such injuries causes them to heal very quickly. It also always the pain and soreness. Keep a bottle of Pain Balm in your home and it will save you time and money, not to mention the inconvenience and suffering such injuries entail. For sale by all Dealers and Druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

Mabel—"Why didn't you scream when he put his arms around you?" Ethel—"I wanted to, but couldn't, and when I could I didn't want to."—Butte Inter-Mountain.